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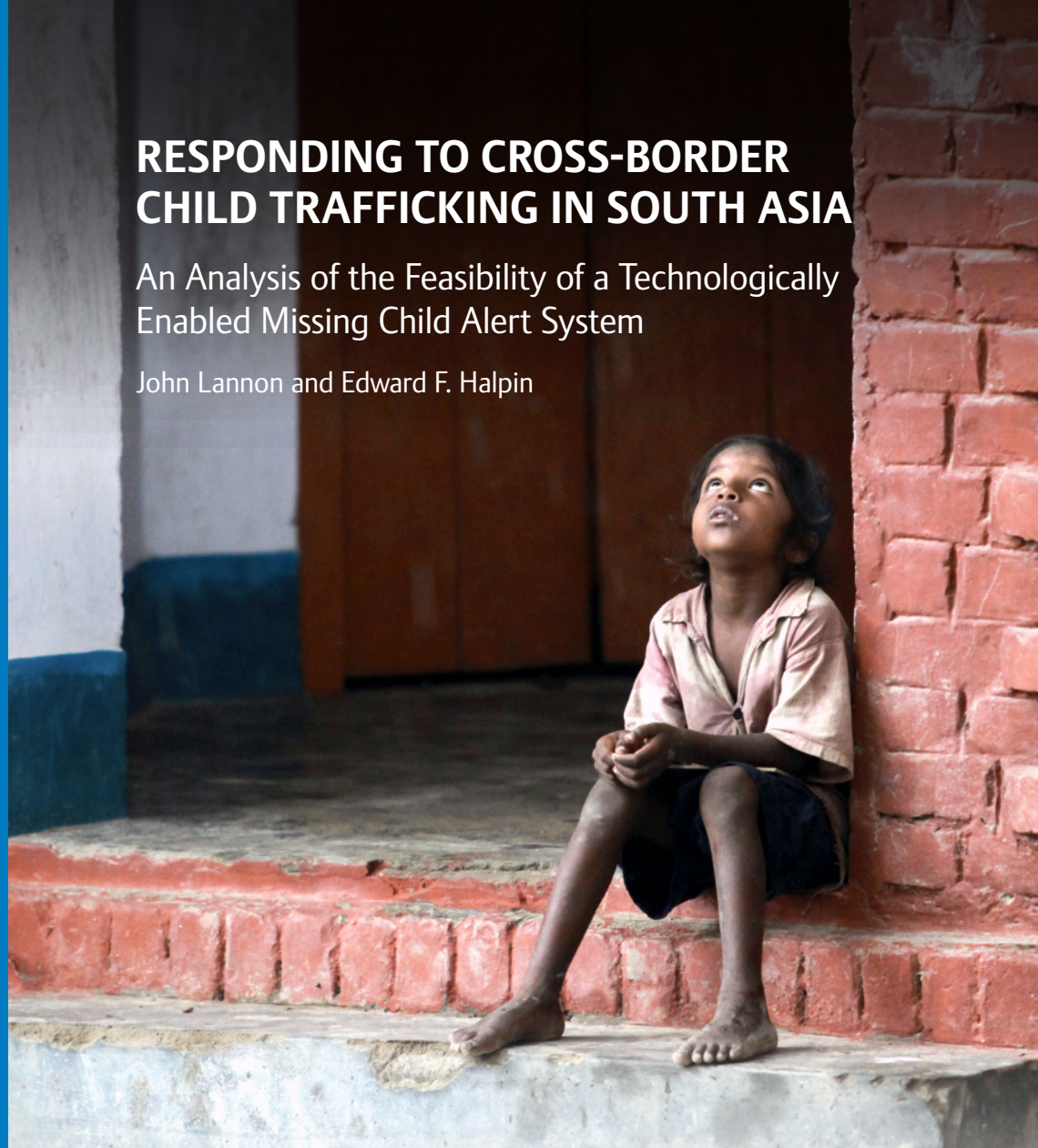


RESPONDING TO CROSS-BORDER CHILD TRAFFICKING IN SOUTH ASIA

# RESPONDING TO CROSS-BORDER CHILD TRAFFICKING IN SOUTH ASIA

An Analysis of the Feasibility of a Technologically  
Enabled Missing Child Alert System

John Lannon and Edward F. Halpin



**Plan**



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Enabled Missing Child Alert System

John Lannon and Edward F. Halpin



# Contents

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Acronyms	v
Executive Summary	ix
<b>1 Introduction</b>	<b>1</b>
1.1 Background	3
1.2 Core Principles	5
1.3 Feasibility Study Objectives and Approach	8
1.4 Methodology	12
1.4.1 Definition	12
1.4.2 Exploration	15
1.4.3 Modelling	15
<b>2 Research Findings and Analysis</b>	<b>17</b>
2.1 The Legal, Political and Bureaucratic Landscape	19
2.1.1 Nepal	22
2.1.2 Bangladesh	25
2.1.3 India	26
2.1.4 Cross-Border Perspective	30
2.1.5 Opportunities, Challenges and Constraints	35
2.2 Information Management and Child Protection	38
2.2.1 Standard Reporting	40
2.2.2 Child-centred Information Flows	41

2.3 Technical Development	45
2.3.1 Existing Missing Child/Persons Systems in India, Nepal and Bangladesh	45
2.3.2 Design Considerations	53
2.3.3 Local IT Capacity	62
2.3.4 Interfacing to Other In-Country Systems	63
2.3.5 Missing Child Alert Systems Around the World	65
2.4 Stakeholder Involvement and Governance	67
2.4.1 National	68
2.4.2 Regional	71
2.5 Long-Term Vision	73
<b>3 Technical Architecture</b>	<b>77</b>
3.1 Option 1: Decentralised Model	79
3.2 Option 2: Centralised Model	84
3.3 Option 3: Collaboration with Homelink/YaR	88
<b>4 Roadmap and Conclusions</b>	<b>91</b>
Bibliography	96
Appendix 1: DEMIR™ Framework	98
Appendix 2: List of Interviews	99
Appendix 3: Results of Delhi (Kickoff) Workshop Consultation	104
Appendix 4: High Level Requirements Specification for National Missing Child Tracking System	108

## Acronyms

AATWIN	Alliance Against Trafficking in Women and Children in Nepal
ADB	Asian Development Bank
AED	Academy for Educational Development
ARO	Asia Regional Office
ATSEC	Action against Trafficking and Sexual Exploitation of Children
BASIS	Bangladesh Association of Software and Information Services
BGB	Border Guards Bangladesh
BPO	Business Process Outsourcing
CBCT	Cross-Border Child Trafficking
CBO	Community-Based Organisation
CCWB	Central Child Welfare Board
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CHI	Child Helpline International
CID	Criminal Investigation Department
CINI	Child In Need Institute
CMAS	Commercial Mobile Alert System
CO	Country Office
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organisation
CWC	Child Welfare Committee
DC	District Commissioner
DCWB	District Child Welfare Board
DEMIR	Definition – Exploration – Modelling – Implementation – Review

EU	European Union
FIR	First Information Report
HTTCA	Human Trafficking and Transportation (Control) Act
ICMEC	International Centre for Missing and Exploited Children
ICPS	Integrated Child Protection Scheme
ICT	Information Communications Technologies
ICT4D	Information Communications Technologies for Development
ILO	International Labour Organization
IP	Internet Protocol
IT	Information Technology
IPTV	Internet Protocol Television
ISP	Internet Service Provider
ITES	IT Enabled Services
ITSM	IT Service Management
ITPA	Immoral Trafficking Prevention Act
JJB	Juvenile Justice Board
MCA	Missing Child Alert
MHA	Ministry of Home Affairs
MIS	Management Information System
MoU	Memorandum of Understanding
MWCA	Ministry of Women and Children Affairs (Bangladesh)
MWCD	Ministry of Women and Child Development (Government of India)
MWCSW	Ministry of Women, Children and Social Welfare (Nepal)
NCMEC	National Centre for Missing and Exploited Children
NCW	National Council for Women
NGO	Non-Governmental Organisation
NHRC	National Human Rights Commission
NIC	National Informatics Centre

NNAGT	National Network Against Girls Trafficking
NPA	National Plan of Action
RAF	Regional Action Forum
RRRI	Rescue, Recovery, Repatriation, and Integration
SAARC	South Asian Association for Regional Cooperation
SaaS	Software as a Service
SACH	South Asia Child Helplines
SAFAHT	South Asia Forum Against Human Trafficking
SAIEVAC	South Asia Initiative to End Violence Against Children
SAGC	South Asia Coordinating Group on Action against Violence
SDF	SAARC Development Fund
SMS	Short Messaging Service
SOP	Standard Operating Procedure
TIP	Trafficking in Persons
UIDAI	Unique Identification Authority of India
UISC	Union Information Service Centre
UN	United Nations
UNDP	United National Development Programme
UNICEF	United Nations Children's Fund (shortened from the original United Nations International Children's Emergency Fund)
UNICEF ROSA	UNICEF Regional Office for South Asia
UNIFEM	United Nations Fund for Women
UNODC	United Nations Office on Drugs and Crime
UNTOC	UN Convention against Transnational Organized Crime
USAID/OTI	United States Agency for International Development/Office of Transition Initiatives
URC-ICT	Union Resource Center for ICT
VPN	Virtual Private Network
XML	eXtensible Markup Language





## Executive Summary

This report examines the feasibility of a technologically enabled system to help respond to the phenomenon of cross-border child trafficking in South Asia, and makes recommendations on how to proceed with a pilot project in the selected areas of Bangladesh, Nepal and India. The study was commissioned by the Missing Child Alert (MCA) programme which is an initiative led by Plan International (referred to as Plan in this report). Plan works in 50 developing countries to promote child rights and lift millions of children out of poverty.

As part of a body of research undertaken between August and November 2012, interviews were conducted with more than 50 organisations and individuals. These included police, child welfare officials, government ministries, local and municipal government officials in each of the three countries; local and national non-governmental organisations (NGOs) working in the area of child protection; regional and international agencies; technology providers; and authorities that had experience of implementing missing child alert systems in other parts of the world.

The findings of the research are grouped in five broad areas. These are the legal, political and bureaucratic landscape; information management and child protection; technical development; stakeholder involvement and governance; and the long-term vision for the MCA programme and the technologically enabled system.

### Legal, political and bureaucratic landscape

The main findings of this first area relate to the need to sensitise and change the attitude of the law enforcement authorities so that missing children who are thought to be trafficked are properly recorded, and that families feel able to immediately report to them. This is linked to a need for awareness raising campaigns at community level, aimed in the first instance at effective and prompt reporting and in the longer term at prevention. Two opportunities in particular were identified for this, both in Bangladesh. One is through partnership with a community-based ICT service provider called D.Net; the other is with the government-run Union Information and Service Centres.

The need for further research around improving the law in relation to the recording of missing children who may have been trafficked in the source

countries (Nepal and Bangladesh) or found in the destination country (India) is noted. The research also highlights the non-existence of repatriation procedures between India and Nepal, and the failure to implement the procedures that do exist between India and Bangladesh. These are major impediments to the safe and speedy reunification of children who have been trafficked.

The report recommends that in each of the three countries, the MCA programme appoint a person with the necessary authority and reputation to be able to engage with national stakeholders, while accurately reflecting reality on the ground at local level. This involves liaising with lead government authorities, and developing relationships with key political, civil service, NGO and civil society personnel who can help to exploit the opportunities and deal with the challenges identified.

### Information management and child protection

The report recommends that the MCA programme should take a proactive role in efforts to develop coded typologies or thesauri to support consistent and standard reporting of missing children in South Asia. It emphasises that the analysis and verification of information relating to a missing child should be done by police in the source country, whereas the recording of a trafficked child, the sending of alert messages, and the subsequent analysis of data and generation of periodic reports can be handled by a technologically enabled, regional cross-border child trafficking response mechanism. The processes of reporting and alerting could be implemented as one technological system with distinct functionality and user roles. The report also notes that key stakeholders, particularly the police, must be involved in the design of the child trafficking response system. In particular there is a need to work with the law enforcement agencies in each of the target countries, and through SAARC mechanisms such as the Chief of Polices conferences, in order to reach agreement on the minimum criteria for launching a cross-border alert. This will only be possible if there is State support for the concept in all three countries, and involvement at the highest level from the start.

### Technical development

There are no national databases or web portals for missing children in Bangladesh or Nepal, but there are a number of initiatives at State level in India. The Government of India has proposed a national missing child system but has not yet taken effective concrete action to make this a reality. As a result the current situation facing missing children in India can be described as sectoral and fragmented.

The only national missing child system currently in existence in India is the Homelink initiative overseen by Don Bosco/YaR Forum. While this has not been adopted to any great extent by the State authorities, the MCA programme should consider it a key component in the overall infrastructure for missing children in the region.

A number of key design considerations for the cross-border child trafficking system are discussed in the report. These include accessibility, security, data protection and availability. It is recommended that the initial focus should be on the use of simple, accessible Internet Protocol (IP) based interfaces for approved alert recipients. Nonetheless system designers should ensure that viable options exist for sending out alert information to large numbers of individuals and companies through mobile phone networks, data feeds to the broadcast media, and interfaces to emerging communications channels like social media. It also recommends that the matching of missing and found children should be based where possible on biometric data, and that the system should be linked to the unique ID and birth registration systems in India and Bangladesh. Automatic photograph matching can also be done but stored photographs should not be publically displayed.

The report also looks at missing child alert systems in Europe and the USA. While their focus is on abducted children and the expectation that the public can help find the child, the MCA programme can nonetheless learn lessons from their experience and from the mechanisms that have been put in place. One lesson in particular is that it has taken three to seven years to implement missing child alert systems in European countries where there is a strong law enforcement motivation to solve these crimes. While the Government of India may now be able to deliver on a national missing child system in a similar timeframe, given the amount of work already done on the issue at various levels, the same is not likely to be the case in Bangladesh or Nepal.

### Stakeholder involvement and governance

The long-term goal for the MCA programme should be to have in-country missing child systems managed by the government in each country, with regional coordination through a cross-border child trafficking response system managed by the South Asia Initiative to End Violence Against Children (SAIEVAC). As noted already, the former (in-country missing child systems) cannot be fully and effectively delivered in a short number of years. Equally the management of a regional cross-border child trafficking system by SAIEVAC is not a realistic option for the foreseeable future. Nonetheless it is recommended that the MCA



programme begins to work with SAIEVAC to help build their capacity to do so. The target should be to hand over the coordination of the regional aspect of the system to SAIEVAC within an agreed timeframe.

SAIEVAC support for the MCA programme can help make child trafficking more prominent on the regional agenda. It can also work with governments to get it on their agenda through its own mechanisms and the mechanisms of SAARC. SAIEVAC also works with civil society, children and the international agencies. As a result it has all the components necessary to make the CBCT response system sustainable as well as participatory.

### Long-term vision

Attention is drawn to the need for child protection mechanisms in the region to address all categories of missing children, as well as children who are vulnerable to abuse and exploitation in other ways. While the MCA programme is seeking to address one particular category, there is potential to do so in a coordinated and convergent way through a close working relationship with SAIEVAC. There are a range of regional mechanisms through which agencies in the different SAARC countries are linked together. SAIEVAC can play an important role in coordinating the efforts of these mechanisms.

Overall it is recommended that the system limit its activities to those that require cross-border communication and collaboration. This means it should support information flows relating to trafficked children that may have been taken across a border, found children whose identity is not known, and rescued children whose needs may be best addressed through repatriation and reunification. Clarity is required around if and how children that are trafficked internally within the countries are handled by the MCA initiative. It is also recommended that further consideration be given to the name of the intervention since it is related specifically to cross-border child trafficking rather than missing children per se.

In terms of the technical architecture for the system, three possible options are outlined. Option 1 is to build a network of in-country missing child systems that would exchange information about missing or found children. The MCA programme would support the development and deployment of these systems by the national governments, and would work with stakeholders to develop protocols for the exchange of information. Option 2 is to design and implement a centralised cross-border child trafficking response system in which authorities in each country can record incidents of suspected cross-border child trafficking. This system would send notifications to recipients in the country(s) the child is likely to have been brought to. It would also coordinate cross-border activities

such as the search, rescue and repatriation of the child. Option 3 is to implement a missing child search system across the region by extending and modifying the existing Homelink system.

Based on the research the report concludes that a pilot project can make significant progress towards providing a technologically robust system to track, rescue and repatriate children that are trafficked from one country to another. The system must be acceptable politically and operationally, as well as usable by communities, non-governmental organisations and responsible authorities. The process to put this system in place must begin by exploring each of the technical options presented in greater depth, by engaging with the governments and in particular key people in the relevant ministries, SAIEVAC, and Don Bosco/YaR Forum. While Option 2 is deemed likely to present the highest chance of success, stakeholder acceptance is crucial for its sustainability. With this in mind all options must be considered further before proceeding.

The last section of the report presents a roadmap outlining the next steps that should be taken to get the pilot project under way. One of the first steps recommended is to establish a web portal on child trafficking in South Asia. This web portal should represent the public face of the cross-border child trafficking response system, thereby helping to establish it with international, regional and national stakeholders. It should also provide information relating to child trafficking (and in particular cross-border child trafficking), national initiatives aimed at addressing the phenomenon, and regional developments. The information presented should reflect the breadth of effort being undertaken by stakeholders, including regional and international agencies.

The pilot project goal should be to develop, implement and test the technology-based system and to bring as wide a range of actors as possible together in order to determine how it will become a fully realisable regional system. The focus should therefore be on testing the effectiveness of the intervention and its capacity to succeed on a broader scale, rather than the number of children reached.

# Introduction

1



The Missing Child Alert (MCA) programme is an initiative to address cross-border child trafficking in South Asia, led by Plan. The aim of the programme is to link existing institutions, mechanisms and resources in order to tackle the phenomenon from a regional perspective. To achieve this, Plan propose to implement a technologically equipped, institutionalised system of alert that can assist in the rescue, rehabilitation, repatriation and reintegration of children who are at risk of, or are victims of, cross-border trafficking. As it is a new and ambitious concept, it is proposed to undertake a pilot project over a period of approximately three years. This pilot project will be implemented in selected parts of Bangladesh and Nepal, both of which are primarily (though not exclusively) source countries for child trafficking, and India which is a destination and transit country for international trafficking. The pilot project is supported by a grant from the Nationale Postcode Loterij in The Netherlands.

This report examines the feasibility of a pilot MCA system and makes

recommendations in relation to its architecture. It also outlines a roadmap that can lead to an expanded child protection system covering the entire South Asian Association for Regional Cooperation (SAARC) region.<sup>1</sup> The main objectives of the report are:

1. To map existing opportunities to establish and operate a technology-enabled system that can address the issue of cross-border trafficking in India, Bangladesh and Nepal;
2. To explore the best technological solutions and to develop a blueprint for recommended solutions; and
3. To analyse the political, social, legal and economic context impacting on the sustainability of the system.

Literature reviews and desk research have been used to examine the political, economic, social, technological and legal environments, while field research and interviews conducted between July and November 2012 provide in-depth understanding of the opportunities, risks and constraints that exist at national and regional levels.

## 1.1 Background



Children go missing for many reasons. In South Asia, many are abducted and put into forced labour. Others are persuaded to leave home by somebody they know, and are subsequently exploited in the sex trade or sold to work as domestic help. Some simply run away from home, or are forced to leave because of difficult circumstances such as domestic violence or the death of a parent.

The issue of missing children is linked to, although not limited to, child trafficking. This is a highly secretive and clandestine trade, with root causes that are varied and often complex. Poverty is a major contributor but the phenomenon is also linked to a range of other 'push' (supply side) and 'pull' (demand side) factors. The push factors include poor socio-economic conditions; structural discrimination based on class, caste and gender; domestic violence; migration; illiteracy; natural disasters such as floods; and enhanced vulnerability due to lack of awareness. The pull factors include the effects of the free market economy, and in particular economic reforms that generate a demand for cheap

labour; urbanisation; and a demand for young girls for sexual exploitation and marriage.

Children can be trafficked by a stranger or by someone who knows them, such as a relative or acquaintance. The traffickers are often part of an organised criminal network that recruits children and transports them across the border. They acquire their victims in a variety of ways. These include kidnapping, offering work opportunities and travel costs (sometimes with other financial incentives), and even purchasing the children from parents or relatives on the basis of false promises of work – sometimes for as little as 1,000 rupees (US\$20). Families' expectations may be based on what they hear or see in the media, the false testimonies of others who have returned from work abroad, or the misguided hope that anything must be better than what they have at home. Gender-based social practices also lead parents to be persuaded by traffickers under false pretenses of marriage without a dowry. The fact that many families fail to report these practices, thereby perpetuating and

<sup>1</sup> The SAARC member states are Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

institutionalising the act of trafficking, hinders efforts to thwart the traffickers.<sup>2</sup>

Child trafficking is often facilitated, either intentionally or unintentionally, by officials and others who profit from the business. In India, brothels may receive protection, for example, and traffickers and brothel owners frequently evade arrest.<sup>3</sup> The scale of trafficking as an organised crime, and the number of small, unconnected gangs engaged in the practice makes prevention extremely difficult. While India has recently ratified the United Nations (UN) Protocol on Trafficking<sup>4</sup> (also known as the Palermo Protocol), there is to date no crime called ‘trafficking’ in the country. As a result the National Crime Records Bureau (NCRB) have no reliable data on the practice.

In recent years, the trafficking of South Asian children has expanded beyond the national borders of the countries in the region, with trafficking between countries now commonplace. In this context, India can be characterised as a trafficking destination, while Nepal and Bangladesh are two major source

countries. Estimates of the number of girls trafficked to India annually vary from 5,000 to 20,000,<sup>5</sup> and of the 2 million women and girls involved in sex work in India it is thought that almost 5% come from Nepal and Bangladesh. However, attempts to identify the country of origin of trafficked children in India can be difficult for a variety of reasons. Firstly, they are not always willing to reveal their national identity, often because of fear of the traffickers or law enforcement. Secondly, there are lingual and physical similarities between people from different countries (for example between Bangladeshis and Bengalis of West Bengal, India). Thirdly, there are only a few border checkpoints monitoring the flow of migrants and trafficked persons.

In his study of human trafficking along the international borders between West Bengal and Bangladesh, Chakraborty (2012) lists several ways in which trafficked children are exploited. One of the most common is sexual exploitation, including pornography, forced prostitution, religiously sanctioned prostitution, and sex tourism. Other illegal activities such as

begging, smuggling/drug peddling and trafficking for sale of body parts also feature. Many children end up in bonded labour, agricultural labour, domestic work, brick field production,

and the entertainment and sports sector. Forced marriage of girls and adoption are also common causes for child trafficking.

## 1.2 Core Principles



The fundamental principles and values of the MCA programme are derived from the Universal Declaration of Human Rights (UDHR), the international human rights instruments of the UN, and in particular the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Its actions must therefore be consistent with the values derived from these. Article 19 of the CRC is particularly relevant. It directs state parties “to protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse”, and which calls for other forms of prevention as well as procedures for “identification, reporting, referral, investigation, treatment, and follow-up of instances of children maltreatment”.

There are other principles and values that inform MCA programme interventions. These are:

### 1. Child protection

As an organisation, Plan is committed to actively safeguarding children from harm and to ensuring that children’s rights to protection are fully realised. They promote child-safe practices and strive to ensure that children are protected from harm, abuse, neglect, violence, and exploitation in any form.

Plan’s overall child protection goal is for every child to enjoy the right to protection from all forms of violence in all settings through effective, competent and well-resourced child protection systems. The specific objectives of its policy are to enhance the capacities of duty bearers at different levels with a view to establishing and strengthening child protection systems to prevent violence

<sup>2</sup> Hameed, S., Hlatshwayo, S., Tanner, E., Turker, M., & Yang, J. (2010). Human Trafficking in India: Dynamics, Current Efforts, and Intervention Opportunities for the Asia Foundation: Stanford University.

<sup>3</sup> See Plan International. (2011). Context Analysis of the Child Trafficking Situation in India, Bangladesh and Nepal.

<sup>4</sup> The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (also referred to as the Trafficking Protocol or UN TIP Protocol) is a protocol to the Convention against Transnational Organised Crime. Available at <http://www2.ohchr.org/english/law/protocoltraffic.htm>.

<sup>5</sup> Mazud Ali, A. K. M. (2005). Treading along a Treacherous Trail: Research on Trafficking in Persons in South Asia. *International Migration*, 43(1/2), 141 –164.



against children and to respond to child protection issues in the best interest of every child; to establish, sustain and scale up effective community-based child protection mechanisms to contribute towards fully functional national child protection systems; to ensure meaningful involvement of children, particularly those from excluded and marginalised groups, in their own protection; and to conduct advocacy with duty bearers for the establishment and enforcement of child protection legal and policy frameworks and allocation of resources to ensure fully functioning child protection systems are in place.

The development of robust programming guidelines on child protection by Plan will add to the consistency and coherence of the MCA interventions. It is clear from work done at regional level<sup>6</sup> that Plan is committed to promoting and integrating a rights-based approach as a foundation for all child protection interventions. In addition, there is an emphasis on the need for initiatives that are geared towards meeting the rights and needs of children who have suffered harm to also include activities focused on prevention. This ensures that not only are situations of abuse

responded to when they occur, but that steps are taken to prevent abuse in the first place.

## 2. Holistic approach

International organisations are increasingly turning to a systems approach in their efforts to establish and strengthen child protection programmes.<sup>7</sup> Instead of focusing on approaches targeting single issues like child trafficking, child labour or HIV/AIDS, the systems approach promotes a holistic view of child protection that engages the full range of actors involved in protecting a child's rights.

## 3. Child participation

The MCA programme assumes children and young people to be equal partners in the initiative rather than simply passive recipients of benefit. In keeping with a rights-based approach, their participation is an integral part of the programme and is expected to take place not only at implementation level but also at programme management and programme governance levels.<sup>8</sup>

Children's participation should go beyond mere formal consultation, and should be active, free, and meaningful. Processes and structures should be accessible to children affected by

trafficking, and information exchange should be transparent and timely. This means continuous engagement with children and their guardians at community level so that they become empowered to respond to and ultimately eradicate child trafficking. It also calls for the development of mechanisms that are accessible to children and young people who are at risk or are already victims of trafficking.

## 4. Gender sensitivity

Particular attention is given to the ways in which women and girls act and are treated in their communities and in places where they are vulnerable or at risk. Full participation of girls is essential, and in order to achieve this, the MCA must incorporate an understanding of gender stereotypes in society, and must take cognisance of the impact of discrimination and gender roles.

## 5. Inclusiveness

An inclusive approach not only means that diverse individuals and groups are involved, but also that the perspectives and contributions of all people are valued, and that the needs, assets and perspectives of all affected communities and stakeholders are incorporated into the design and implementation.

Every effort should be made to reach the most marginalised, excluded, disadvantaged groups of society and to

include them in the programme. This should not be as mere beneficiaries but as active participants in the process of implementation at community level.

## 6. Confidentiality

The holding of personal information about children and families brings with it a duty to ensure that the dignity, well-being, or privacy of the individual is not undermined through the disclosure of the information, or through a failure to protect it. The safety, well-being, and protection of the child are the primary considerations. For this reason, it is important to ensure that any information that is shared is necessary for the purpose for which it is intended, that it is shared only with those people or organisations that need to have it, that it is accurate and up-to-date, and that it is shared in a timely and secure manner.

## 7. Transparency, Integrity and Accountability

All responsible parties should be held to account for their performance in order to ensure continual improvement and ongoing learning in pursuit of common goals. To achieve this, appropriate impact assessment measures should be applied to all plans, proposals, policies, and programmes to determine if the desired progress is being made by the MCA programme in terms of child protection.

<sup>6</sup> See 'Safe and Sound – Growing up with Protection'. Child Protection Programme Framework produced by Plan International – Asia Regional Office.

<sup>7</sup> Wulczyn, F., Daro, D., Fluke, J., Feldman, S., Glodek, C., & Lifanda, K. (2010). *Adapting a Systems Approach to Child Protection: Key Concepts and Considerations*. New York: UNICEF.

<sup>8</sup> See Plan International. (2012). The 'Missing Child Alert': Inventing technology to end cross-border trafficking of boys and girls from Bangladesh, Nepal to India *Regional Proposal: 'Missing Child Alert'*.



Transparency is a necessary precondition for the exercise of accountability since without access to clear, accurate and up-to-date information it is impossible to judge whether the desired outcomes of an intervention are being achieved. This requires openness and effective communication in all aspects of the project.

For multi-stakeholder initiatives like the MCA programme, integrity is also an important consideration. This refers to the honesty or trustworthiness of those involved in delivering a service. Processes of due diligence should be undertaken with all responsible parties,

including technology providers, to ensure this is the case.

### 8. Sustainability

Plan's Asia Regional Office (ARO) emphasise that in any project, consideration should be given to the potential that exists for scaling up the work and to its sustainability. They also note that entry points should be identified to advocate for the establishment and development of sustainable mechanisms to ensure structures and systems are in place to prevent, protect and reintegrate children at risk, or those who experience violence, abuse of harm.

## 1.3 Feasibility Study Objectives and Approach



The overall aim of this study is to examine the feasibility of establishing a technology enabled missing child alert system, initially on a pilot basis, and to outline a roadmap that can lead to an expanded child protection system covering the entire SAARC region. Seven specific objectives were identified for the study:

1. to provide Plan with a solid overview of the opportunities,

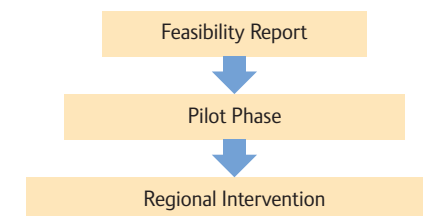
constraints, and risks associated with the establishment, on a pilot basis, of a cross-border missing child alert system covering selected parts of Bangladesh, India and Nepal;

2. to identify existing alert systems, both cross-border and national, and to assess their value as a basis for the foundation of a missing child alert network in South Asia;

3. to outline the legal, financial, social and political context as relevant to the design, establishment, management and sustainability of the MCA system;
4. to liaise with key actors in order to understand their ICT usage and data assets, and to examine how an MCA system would complement their working practices and ICT capacity while ensuring a sustainable business model that would ideally provide this service for free;
5. to create a specification document that outlines the functionality and high level architecture of a missing child alert system, and makes recommendations in relation to its implementation;
6. to outline the likely implementation and running costs of such a system at a high level, paying special attention to network costs;
7. to recommend a timeframe and next steps for development of a missing child alert system, looking specifically at whether it is feasible (i) to build a basic functional system using an existing system, and (ii) to stagger the development such that an early but limited functional release could be utilised to prove the viability of the system.

The overall MCA programme is envisaged as having a range of activities linked to four result areas.

**Figure 1: Phased approach to cross-border child trafficking response system**



These result areas are: the prevention and protection of children from being trafficked in source areas and during transit; the establishment and institutionalisation of a technology enabled alert system; repatriation, rehabilitation and reintegration of victims of cross-border child trafficking; and advocacy to strengthen regional instruments and policies to ensure justice.

While the findings and recommendations of this feasibility study impact on all four result areas, the primary focus is on the establishment and institutionalisation of a technology enabled system to track, trace and facilitate the repatriation of child victims of cross-border trafficking. This overarching system could potentially consist of national (in-country) systems, as well as mechanisms for inter-state collaboration. These inter-state mechanisms require the establishment of some form of cross-border child trafficking (CBCT) response system. The primary focus of the MCA programme is on this CBCT response

system but the dependency on the in-country missing child systems is such that they cannot be ignored.

This feasibility report is intended to lead to the establishment of a pilot project which will be undertaken in selected parts of Bangladesh, Nepal and India. This will, in turn, lead to the launch of a broader regional intervention.

A systems approach known as DEMIR™ (Definition – Exploration – Modelling – Implementation – Review) is used to provide a methodological framework for the feasibility study. This assumes that any system can be best understood by examining the relationships between the component parts and with other systems, rather than in isolation.

DEMIR™ was developed at Leeds Metropolitan University to address the challenges faced when seeking to implement technology enabled systems in complex or ‘messy’ social contexts. It consists of five stages, three of which cover the feasibility study itself, and two of which can be used to guide the subsequent pilot project. The DEMIR™ framework facilitates inclusion of a wide range of perspectives in the feasibility study and is consistent with the core principles outlined already. It has been developed

through solid academic research, based on consultation with practitioners around the world.

Appendix 1 provides a more comprehensive description of the methodological framework.

### Pilot Project

The pilot project plans for each of the three countries are as follows:

1. **Bangladesh:** The project will be implemented in a total of 20 unions across five upazilas<sup>9</sup> in the border belt districts of Jessore and Satkhira. Women and children are routinely trafficked through these areas into West Bengal in India. The upazilas selected are Sharsha (4 unions) and Jessore Sadar (4 unions) in Jessore, and Satkhira Sadar (4 unions), Kaligonj (5 unions) and Kolaroa (3 unions) in Satkhira.
2. **Nepal:** Three districts in which Plan is already implementing anti-trafficking programmes have been selected. These are Makwanpur, Banke and Morang. Two of these (Banke and Morang) border India, and while Makwanpur is not a border district, it has high levels of trafficking and is close to the border.

### A Systems Approach to Child Protection

A system is a collection of components or parts organised around a common purpose or goal. As the MCA's goal is improved protection of children from trafficking and exploitation it can be described as a child protection system.

System components can be best understood in the context of relationships with each other rather than in isolation. Several key elements of systems apply to child protection systems (Wulczyn et al, 2010). These include the following:

- systems exist within other larger systems, in a nested structure. Children are embedded in families or kin, which live in communities, which exist within a wider societal system.
- given the nested nature of systems, attention needs to be paid to coordinating the interaction of related systems so that their work is mutually reinforcing.
- systems accomplish their work through a specific set of structures and capacities, the characteristics of which are determined by the context in which the system operates. In the case of cross-border child trafficking, the context varies between countries, government departments and in some cases even interventions.
- changes to any system can potentially change the context, while changes to the context will change the system.
- well-functioning systems pay particular attention to nurturing and sustaining acts of cooperation, coordination and collaboration among all levels of stakeholders.
- systems achieve their desired outcomes when they design, implement, and sustain an effective and efficient process of care in which stakeholders are held accountable for both their individual performance and the performance of the overall system.
- effective governance structures in any system must be flexible and robust in order to cope with uncertainty, change, and diversity.

The adoption of a systems approach means that the challenges presented by the MCA initiative are addressed holistically. The roles and assets of all the key actors, including governments, NGOs, community structures, families and caregivers, technology providers, and most importantly children themselves, are all taken into consideration.

<sup>9</sup> The districts of Bangladesh are divided into sub-districts called Upazila Parishads. These in turn are divided into Union Parishads.

3. **India:** Missing children information will be gathered from 23 border district areas, spread across the states of Uttar Pradesh and Bihar, both of which border Nepal, and West Bengal which borders Bangladesh. It is proposed to send alert information in the first instance to transit intervention points in New Delhi, Mughalsarai, Katihar, New Jalpaiguri, Malda Town and Guwahati, and in the second instance to destination areas across the country.

These parts have been selected based on existing knowledge of frequently used cross-border trafficking routes, and the capacity of Plan and its partner NGOs. In the case of each country, the selected areas present strategic advantages for regional collaboration. In particular, it is anticipated that working in the border districts will make it easier to enhance cross-border coordination and border monitoring.

## 1.4 Methodology



The research for this report consisted of a series of activities undertaken to address the study objectives. These activities were organised into three stages using the DEMIR™ framework, namely definition, exploration and modeling.

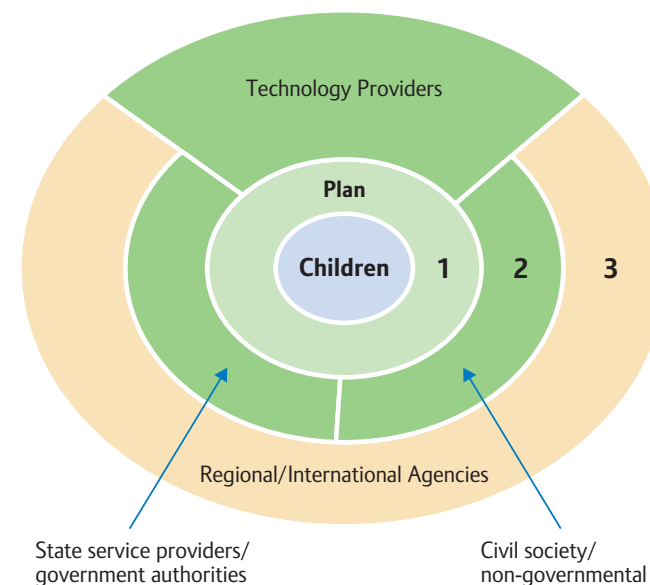
### 1.4.1 Definition

The main objectives of the first stage of the investigation were to map the key stakeholders from governmental, inter-governmental and non-governmental sectors, to identify the different perspectives on what the

cross-border child trafficking response system is expected to achieve, to outline the scope of the pilot project, and to reach some broad understandings of what needed to be done during the feasibility study.

The methods used to achieve this consisted of desk research and primary data collection. In the case of the former, a contextual analysis of each of the three target countries was undertaken. This included an examination of key documentation on issues of cross-border trafficking, factors affecting the use of information

Figure 2: Stakeholder mapping template



and communication technologies (ICTs), the legal landscape, the role of various governmental, regional and inter-governmental bodies and mechanisms. It also included analysis of reports from government ministries, human rights commissions, national child protection commissions and other such bodies.

In the course of the definition stage, key stakeholders were identified and classified in accordance with the

stakeholder mapping template shown in Figure 2. This consists of three peripheral orbits, with children who have been trafficked or are at risk of being trafficked as the primary stakeholders at its core.<sup>10</sup>

Orbit 1 consists of Plan International's country offices (CO's) in India, Bangladesh and Nepal, its Asia Regional Office (ARO), and the National Office (NO) in the Netherlands.

<sup>10</sup> A fourth orbit has also been identified for the wider MCA programme. This consists of the institutional donors like the EU, DFID, SIDA, and USAID, as well as the UN treaty monitoring bodies (such as the CRC Committee). These stakeholders are important in terms of bringing international pressure to bear on State parties to adopt and embrace the MCA concept.

Orbit 2 contains organisations responsible for the day to day implementation of activities linked to the MCA programme objectives. This is comprised of three parts. The first contains state service-providing agencies and government authorities.

The second is civil society, meaning the groups and organisations that occupy a position between the household, the state and the private sector.<sup>11</sup> This includes non-governmental organisations (NGOs) and community-based organisations (CBOs) as well as academic institutions, faith-based groups and media organisations. The third part consists of private sector companies that have the potential to provide technological components or other required services to enable the implementation and operation of the system.

Orbit 3 covers organisations and networks that are working regionally to ensure cooperation among state parties.

The primary data collection during the definition stage consisted of in-depth discussions with the Orbit 1 stakeholders. This was done through a kickoff workshop held in Delhi from

July 11<sup>th</sup> to 13<sup>th</sup> 2012, at which representatives from the Plan target country offices, ARO and the National Office in The Netherlands participated.

This consultation was enhanced through the preparation of proposal documents by each of the three Plan country offices (India, Bangladesh and Nepal) and by the Regional Office.<sup>12</sup>

Finally it is important to note that all three countries have a significant history of involvement of children's groups and clubs in different aspects of child protection. While these are part of the core or heart of the stakeholder map, this research has not had an opportunity to consult with them directly. However any MCA intervention must ensure that children become truly engaged as subjects in their own right, bearing in mind that they do not hold ultimate responsibility for their own protection which still remains with adults. It is therefore important to involve children's groups – some of which already play an important part in community-based surveillance groups (in Nepal and India at least), so that the MCA can build on their existing efforts rather than starting from scratch.

## 1.4.2 Exploration

The exploration stage provided an opportunity to capture the perspectives of a wide range of stakeholders, and to consult with technical and child protection experts in the region. Interviews were conducted with more than 50 organisations between the months of August and November 2012, with follow-up discussions taking place as required. These interviews covered Orbits 2 and 3 of the stakeholder map shown in Figure 2. In the state sector those consulted included police, child welfare officials, government ministries, local and municipal government officials. In the civil society sector it covered local and national NGOs working in the area of child protection, as well as CBOs.

Technology providers in each of the three countries were also interviewed in order to gain an understanding of local capacities and the technological opportunities and constraints. A number of regional and global solution providers were also consulted. The objectives here were to identify potential technology partners and to assist in the process of developing a blueprint for the pilot phase of the project.

Finally, a number of interviews were conducted with regional and international agencies, and with authorities that had experience of implementing missing child alert systems. These focused on issues relating to inter-State cooperation and sustainability.

A full list of interviews is provided in Appendix 2.

## 1.4.3 Modelling

Initial findings from the exploration stage were presented and discussed with the Plan MCA programme regional coordinator and the country office representatives. This took place at a review meeting in Dhaka on 27<sup>th</sup> and 28<sup>th</sup> August 2012.

At the review meeting, tentative models were presented for the in-country missing child and CBCT response systems, leading to increased clarity around the areas requiring further exploration. Further analysis of the findings from the exploration stage, which are presented in the next section, resulted in the recommendations and roadmap outlined in Sections 3 and 4.

<sup>11</sup> From <http://www.dfid.gov.uk/what-we-do/who-we-work-with/civil-society/>.

<sup>12</sup> See Plan Bangladesh. (2012). The Missing Child Alert: Fight against Crossborder Trafficking: Bangladesh Country Proposal: Plan Bangladesh, Plan India. (2012). Proposal on Missing Children Alert in India with a Special Focus on Cross Border Trafficking from Nepal and Bangladesh: Plan India, Plan International. (2012). The 'Missing Child Alert': Inventing technology to end cross-border trafficking of boys and girls from Bangladesh, Nepal to India Regional Proposal: 'Missing Child Alert', Plan Nepal. (2012). Missing Child Alert System: Combating Cross-Border Child Trafficking Plan Nepal Country Proposal (2012-2014): Plan Nepal.



# Research Findings and Analysis

# 2





There are already many nested and overlapping child protection and anti-trafficking systems in the South Asia region, including regional initiatives and networks, government efforts and non-government interventions. As a system that sits in both the child protection and anti-trafficking space, the MCA programme must identify and interact with existing and emerging systems in both areas. It must also interact with a range of existing and future systems at national level, including birth registration systems. Consequently the CBCT response system must be planned, designed and implemented with these in mind.

The Delhi workshop drew attention to a number of important considerations. Firstly there is the complex nature of cross-border trafficking, and in particular, the legal aspects of inter-State cooperation and information flow. Secondly the importance of data security in relation to child protection must be considered. Thirdly there is the need to ensure that technological solutions do not preclude linkages with existing systems for tracking, tracing, and referral, and that they reflect current and future technology trends in South Asia. And fourthly, while Plan has already committed resources to

the programme and is accountable to the donor for the duration of the pilot phase, consideration needs to be given to embedding the programme in a broader institutional mechanism in the long term.

The Delhi workshop also highlighted the need for a qualitative analysis of the situation relating to the cross-border trafficking of children and the use of technology to track and resolve individual cases. Participants expressed their preference for this approach during the pilot phase, rather than the establishment of a quantitative baseline and indicators. Consequently, the focus for this initial phase should be on lessons learned rather than numbers of beneficiaries covered.

Emerging from the workshop discussions, five key areas were identified.<sup>13</sup> These are:

- The legal, political and bureaucratic landscape
- Information management and child protection
- Technological development
- Stakeholder involvement and governance
- The long-term vision for the MCA programme

For each of these an initial list of issues was drafted. These were elaborated on

and examined during the exploration phase.

## 2.1 The Legal, Political and Bureaucratic Landscape



There are a number of international legal instruments relating to child trafficking. These include the UN Convention against Transnational Organised Crime (UNTOC) and the associated Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the UN Convention on the Rights of the Child and the Optional Protocol on Sale of Children, Child Prostitution and Child Pornography; the Convention for the Elimination of All Forms of Discrimination Against Women; the ILO Minimum Age Convention (No. 138); and the ILO Convention on the worst forms of child labour (No. 182). Plan has already identified the need to harmonise domestic legislation in India, Bangladesh and Nepal with the international standards set by these. In particular the UNTOC and its Protocols need to be fully ratified in order to support a more uniform system to combat both internal and cross-border trafficking.

In 2002 the SAARC member States adopted the Convention on Preventing and Combating Trafficking of Women and Children for Prostitution, known as the SAARC Trafficking Convention. This came into force in 2006. It obliges state parties to enter into bilateral agreements for cooperation in order to prohibit the trafficking of women and children, and to exchange pertinent information. However the SAARC Trafficking Convention is primarily a criminal justice instrument that aims to ensure states parties adopt the necessary legislative and other measures to criminally investigate, prosecute, and punish alleged traffickers at national level, while also promoting regional law enforcement cooperation to achieve this same end. A main emphasis of this Convention is to promote criminal justice cooperation among member States, since lack of communication and cooperation is recognised as a barrier to effectively suppressing transnational crimes, including cross-border trafficking.

<sup>13</sup> The workshop report is available from the Plan Regional Office. [Damle, A. (2012). Key Lessons and Plans Missing Child Alert (MCA) – Commencement of Feasibility Study: Kickoff Workshop, 11 – 13 July 2012, Delhi: Plan International.]

However the Convention defines the term ‘trafficking’ very narrowly and focuses on trafficking for prostitution and sexual exploitation. In addition, there are no special provisions made under the convention for dealing with the trafficking of children.

There have been a range of other efforts to address trafficking in South Asia over the last decade. These have included initiatives by UN agencies like UNICEF, UNIFEM (merged into UN Women in 2011), UNODC and UNDP; State-based networks formed by leading anti-human trafficking organisations; donor driven networks such as the South Asia Forum Against Human Trafficking (SAFAHT)<sup>14</sup> and the Regional Action Forum set up by the Academy for Educational Development (AED); as well as South Asian networking initiatives like ATSEC.<sup>15</sup>

The Regional Action Forum (RAF) supported by AED resulted in a significant amount of democratic and open interaction among the anti-human trafficking organisations in South Asia and also came out with a number of regional protocols, software-based solutions (for example, the Mumbai Victim Tracking Registry)

and action projects (like the Post Rescue Operations & Victim Witness Protection – Mumbai). The RAF also tried to influence the SAARC Trafficking Convention and process, although it lacked the locus standi of UN agencies like UNICEF or UNIFEM.

These networks maintained a very good rapport with their governments and the UN agencies, and worked excellently as multidisciplinary groups on a wide variety of dimensions and frontiers. Many of the initiatives were supported directly or indirectly by massive US government’s anti-trafficking aid under its Trafficking in Persons (TIP) programme which stopped around 2009. An acute shortage of external and internal funding subsequently led to competition among civil society groups, thereby resulting in a much reduced level of cooperation among the active organisations. However the art of domestic and cross-border networking was not lost. It continued, not on a broad regional level, but through smaller, more focused efforts within countries and across borders.

In India, Bangladesh, and Nepal there are now national plans of action aimed

at combating and addressing trafficking.<sup>16</sup> Nonetheless, effective coordination between stakeholders involved in efforts to combat child trafficking remains a challenge, even at national level. As Plan note, “[l]imited resources and lack of cooperation, often compounded by limited understanding of the situation at both conceptual and ground level have presented considerable constraints to effective action”.<sup>17</sup> While there has been an increase in awareness of trafficking at government level, and greater allocation of financial and other resources by governments, UN agencies, and international donors, there is still a scarcity of services such as trauma counselling, legal aid and specialised health services.

As part of the coordinated regional response to trafficking, the governments have now committed to the implementation of Standard Operating Procedures (SOPs) for effective implementation of the SAARC Trafficking Convention. To date there has been some, but not a great deal of,

progress in this area. A Joint Plan of Action for the Rescue, Recovery, Repatriation, and Integration (RRRI) of Child Victims of Trafficking between Bangladesh and India<sup>18</sup> is one of the few examples of bilateral efforts in this regard. In Bangladesh the Ministry of Home Affairs has developed a SOP for the repatriation of trafficked women and child victims between Bangladesh and India. Across the border in India, the states of West Bengal and Maharashtra have a different SOP that they are following under the Ministry of Women and Child Development. The Ministry of Home Affairs in Bangladesh and their counterparts in the Ministry of Home Affairs in India have now drafted a unified Indo-Bangladesh SOP under the Centre-State Division for both countries, and this is awaiting signature by the high officials of the nodal ministries in both countries.<sup>19</sup>

In 2005 the South Asia Initiative for Ending Violence against Children (SAIEVAC) was set up. This is an institutional structure comprising of

<sup>14</sup> The South Asia Forum against Human Trafficking (SAFAHT) is a network organisation covering India, Pakistan, Nepal, Sri Lanka and Bangladesh. It was initiated and supported by UNIFEM and ATSEC in Delhi.

<sup>15</sup> ATSEC was a South Asian initiative at networking that emanated from Bangladesh but could not command the required leadership and hence remained a BD network. Some of its partners in India formed ATSEC India which also ran into difficulties due to the lack of independent leadership and democratic functioning.

<sup>16</sup> In India the Ministry of Women and Child Development, which is the nodal agency dealing with human trafficking at national level, launched an *Integrated Plan of Action to Prevent and Combat Human Trafficking With Special Focus on Women and Children* in 2008. In Bangladesh the Ministry of Home Affairs published the *National Plan of Action for Combating Human Trafficking 2012-2014* in January 2012. And in Nepal a *National Plan of Action against Trafficking in Persons, Especially Trafficking in Women and Children 2068 (AD2012)* was launched by the Ministry of Women, Children and Social Welfare in 2012.

<sup>17</sup> Plan International. (2011). *Context Analysis of the Child Trafficking Situation in India, Bangladesh and Nepal*.

<sup>18</sup> This joint plan of action was developed in 2007 by government and NGO stakeholders from Bangladesh and India, with the help of UNICEF.

<sup>19</sup> This was progressed at the 3rd Meeting of the India-Bangladesh Task Force on Human Trafficking which was held in Cox’s Bazar on December 8-9, 2012.

the eight SAARC countries, operating at regional, intergovernmental level. Its activities are decided by Board Members representing member countries and other stakeholders, and its coordination is managed by a permanent Regional Secretariat hosted by the Government of Nepal. SAIEVAC is now the SAARC apex body for children and is backed by UNICEF. As such, any regional child protection initiative should not ignore or undermine its presence and activities.

Indeed from the SAIEVAC 2010 – 2015 Workplan<sup>20</sup> one can see that there are both opportunities and gaps that are pertinent to the MCA programme. In particular the strategic objective relating to data collection does not include comprehensive data gathering or data matching mechanisms for missing or found children, although it does note the need for national databases and for regional standards to ensure comparability of data. And while trafficking is identified as a key issue (along with early marriage, sexual abuse and exploitation, corporal punishment and child labour), the issue of children who go missing as a result of being trafficked across a border is not addressed, nor is their repatriation. There is scope therefore for further advocacy to strengthen SAIEVAC's agenda and workplan.

The potential for the MCA programme to work with SAIEVAC is discussed in a later section on Stakeholder Involvement and Governance.

As is noted in the UNODC's legal and policy review of responses to human trafficking in Bangladesh, India, Nepal and Sri Lanka (UNODC, 2011), the primary tools used by governments in the South Asia region to combat cross-border trafficking is their own domestic legislations. There are two main reasons for this according to the report. One is because the legislations are set in the criminal justice mode and have clearly identifiable crimes with their consequential punishments. The other is that the criminal justice systems of the countries are geared towards enforcing domestic law.

Here, a closer look at the legal and political landscape at national level highlights further challenges and opportunities linked specifically to each country. For further country analysis the UNODC (2011) report is recommended.

### 2.1.1 Nepal

In 1963 with the adoption of the *Muluki Ain* (Civil Code), Nepal established trafficking in persons as a crime. In addition, the *Muluki Ain* also criminalises making another

person a slave or bonded labourer, arranging or causing forced or child labour, as well as acts which tend to be committed within the trafficking context. More recently, the Interim Constitution of 2007 guarantees basic human rights including freedom from human trafficking, exploitation, forced labour, slavery and servitude, and the right to constitutional remedy.

Anti-human trafficking laws have also been established in the country. The main instruments are the Human Trafficking and Transportation (Control) Act of 2007 (HTTCA), and the Human Trafficking and Transportation (Control) Rules of 2008. The HTTCA prohibits both internal and transnational trafficking in persons, and covers both sex and labour exploitation. Even though the law is seen as a strong and progressive legislation there are loopholes and it is not very effectively implemented. The definition of trafficking adopted by the law, though partially compliant with the UN Protocol on Trafficking, places undue importance on sex trafficking. It also fails to address issues like the prevention of trafficking, witness protection, repatriation of victims, and the immigration status of foreign victims in Nepal.

The HHTCA is considered to be a strong and a victim friendly law.

Nonetheless since the criminal justice system is largely confession oriented in Nepal, investigations do not attempt to establish objective and scientific evidence relating to violations of human rights. The lack of objective evidence may lead to prosecuting the wrong (possibly innocent) person, which in turn affects the credibility of the justice system. Offenders often avoid prosecution since confessions are not always accepted as independent evidence for convictions, and courts may give the benefit of the doubt to the accused.<sup>21</sup> Furthermore victims, especially women, may be subjected to extreme vulnerability within the justice system. Male dominant police stations and unfriendly environments, especially for women and children, often prevent them from filing a case with the police.

In relation to child trafficking there is another area of concern. Laws related to rights of the child, particularly the Children's Act of 1992 and the Child Labour (Prohibition and Regulation) Act of 2000 which prohibits the worst forms of child labour, define a child as any person under 16 years of age rather than 18 which is the more widely accepted definition laid down by the CRC and other international instruments.

<sup>20</sup> The South Asia Initiative to End Violence Against Children (SAIEVAC) Workplan 2010 - 2015 is available at <http://www.saievac.org/category/resources/saievac-resources/workplan/>.

<sup>21</sup> ABA Rule of Law Initiative and Center for Legal Research and Resource Development. *Human Trafficking Assessment Tool Report for Nepal*. Washington, DC: American Bar Association. 2011.

Nonetheless the government of Nepal has adopted policies to govern trafficking and has established institutional mechanisms to address the issue. The government has adopted the regional framework to jointly address the problem with other member countries of South Asia, and also bears an international commitment to prevent trafficking by being party to the relevant international laws. But despite the legal framework that is in place, actions aimed at meeting the objectives of these mechanisms have been limited mainly due to a lack of political commitment. Even within the SAARC framework, Nepal has not been able to work effectively in alliance with India or other countries to address trafficking. Quarterly joint meetings are held between representatives of the Nepal Police and the Armed Police Force of the border districts with their counterparts in India but while the meetings focus on cross-border security, they rarely address trafficking in persons. Furthermore, the gathering and sharing of information is complicated since Nepal does not have an institutionalised mechanism for mutual legal assistance in criminal matters nor does it have bilateral enforcement cooperation. At the local level efforts are made to address the issue through meetings between the border police of India and Nepal but these initiatives are not replicated at the higher level.

In 1998 the Nepali government produced its first National Plan of Action against Trafficking in Women and Children and their Sexual Exploitation. This was revised in 2001, and in 2012 a new *National Plan of Action against Trafficking in Persons, Especially Trafficking in Women and Children* was published by the Ministry of Women, Children and Social Welfare (MWCSW) which is the highest governmental authority with responsibility for addressing trafficking issues. Plan provided technical and financial assistance for the drafting of the National Plan of Action (NPA) which has five major components: prevention; protection; prosecution; capacity development; and coordination, cooperation and collaboration at national and regional levels. The MCA programme falls primarily under the protection component.

Like a number of other countries in the region, including Bangladesh, Nepal has experienced political instability over recent years. This has a negative impact on bureaucratic decision-making processes in the country, as well as the political willingness to address issues like child trafficking. Nepali NGOs working to address trafficking have been quite active in their interventions but their success and achievement is hampered by the ever growing magnitude and severity of the problem. Networking among these organisations can be

effective when there is a need to combine expertise and programmes, for example, in response to a rescue request. It has also helped to raise a collective voice in advocacy campaigns. The Alliance Against Trafficking in Women and Children in Nepal (AATWIN) and the National Network Against Girls Trafficking (NNAGT) are two prominent networks focused on trafficking in Nepal. However the networks have not been able to effectively enhance coordination or to avoid duplication of programmes among the various NGOs working on trafficking. Furthermore, ideological differences between the members and/or networks pose constraints in working together. The networking is also obstructed by the lack of will to hold regular meetings and discussions and to jointly plan and implement anti-trafficking programmes.

### 2.1.2 Bangladesh

Bangladesh has also ratified a range of human rights instruments, conventions and declarations that explicitly or implicitly address trafficking and seeks to take measures to combat trafficking and missing in women and children. These include the CRC, CEDAW, ILO Convention No.182, and the SAARC Trafficking Convention. The Constitution has not defined the term 'trafficking' as such, but related matters have implications for trafficking. In particular Article 18 of the Constitution says that the state

shall adopt effective measures to prevent prostitution and has identified prostitution as an anti-social act. With regard to legal status of trafficked and missing children, parents and guardians are becoming more likely to approach the police for assistance. However parents in the poorer areas of the country from which the majority of children go missing often tend to first look to their relatives for assistance with finding the children. According to one experienced social worker in Jessore, reporting to the police may not occur for two or three days. And in some cases parents may be more inclined to meet with journalists or to inform NGOs like, for example Rights Jessore, who they believe might be able to help.

When a missing child is reported to the police the normal procedure is to log a general diary entry. A first information report (FIR) is required if/when a case is being processed, accusing a suspected trafficker. However if the missing case seems to be a trafficking case the police are often reluctant to register it.

At government level trafficking has been prioritised as a key social issue to be urgently addressed. They have formed a National Anti-Trafficking Committee led by the Secretary of the Ministry of Home Affairs to monitor the progress of activities led by the various ministries and departments to combat trafficking in Bangladesh. A Government-NGO National



Coordination Committee for Trafficking in Women and Children was also established, comprised of representatives from the Ministry of Home Affairs, Ministry of Foreign Affairs, the Ministry of Women and Children Affairs (MWCA), the Attorney General's Office and NGOs involved in monitoring and implementing programmes to combat trafficking. The Ministry of Expatriate Welfare and Overseas Employment operates shelters for female Bangladeshi victims of trafficking and exploitation overseas, although none of these shelters are located in India.

In February 2012 a new law entitled The Human Trafficking Deterrence and Suppression Act 2012 was enacted in Bangladesh. This Act generally prohibits and punishes all forms of human trafficking. In 2012 the Ministry of Home Affairs also introduced a three-year *National Plan of Action for Combating Human Trafficking* on behalf of the Bangladesh government. This is intended to prevent human trafficking and to protect trafficking victims. As part of this initiative the government have said they will take initiative in five key areas – prevention, protection, prosecution, participation and monitoring. As in the case of Nepal, the MCA programme activities are particularly relevant in the area of protection. The MWCA and the Ministry of Social Welfare have also engaged in several activities to address the growing trend of trafficking of children. NGOs have been involved at

The MCA programme should work with other NGOs to sensitise and change the attitude of the law enforcement authorities so that missing children who are thought to be trafficked are properly recorded, and that families are able to report immediately to them. This needs to be linked to awareness raising campaigns at community level.

Further work also needs to be done to examine the need to strengthen the law in relation to the recording of missing children who may have been trafficked.

different levels to support the implementation of these.

Nonetheless there are currently no government agencies dedicated to the addressing the issue of missing children. As a result, for female children in particular many NGOs who are engaged with repatriation tasks maintain their own records and facilitate rescues even in other countries.

### 2.1.3 India

The Government of India prohibits some forms of trafficking for commercial sexual exploitation through the Immoral Trafficking Prevention Act (ITPA). India also prohibits bonded and forced labour through the Bonded Labour Abolition Act, the Child Labour Act, and the Juvenile Justice Act.

### Child Trafficking in Satkhira and Jessore (Bangladesh)

Child trafficking is a widespread issue in Bangladesh with Satkhira and Jessore districts being the most vulnerable places. Located in the south-west of the country, these areas are not well developed in terms of education, culture and economic development. Furthermore, the people are susceptible to religious superstition, ignorance and patriarchy. There are close cultural links and easy communication with the parts of India just across the border, and as a result of failure or inability of the enforcement agencies to implement the law, thousands of people, including children, are able to cross the border daily.

Brokers who have been facilitating unlawful crossings of the border have discovered that human trafficking can be a profitable business. As a result they have formed networks that are strengthening day by day, with the practice going hand in hand with cow trading, drugs and arms smuggling and other forms of illegality and violence.

Many initiatives have been undertaken with involvement from government, NGOs and civil society representatives from Satkhira and Jessore. But the number of trafficking incidents is increasing day by day, with local daily local newspapers routinely reporting violence with trafficking.

Research aimed at understanding the India – Bangladesh border situation was conducted as part of this feasibility study. It looked at how prone to child trafficking these areas are, as well as the level of awareness of the issue, and it made recommendations aimed at prevention. The research concluded that child trafficking will not be stopped in the near future but that there are steps that can be taken by government, NGOs and society in general to decrease it gradually. These steps include awareness programmes in communities to stop child trafficking, developing linkages with the different level of society, providing facilities for rescued child trafficking victims so that they do not become re-victimised, stricter bail conditions for the traffickers, establishing a preventive committee, and putting in place measures to convince the traffickers not to engage in such work.

Within the child trafficking networks, brokers, Ghat Maliks (people who run illegal places to cross cows, goods and people in the border area) and members of the law enforcement agencies are all very active. These networks are widespread and the people involved wield significant power. To repel them it is necessary to build a powerful social movement from the grass root level of the community. This needs to include civil society, religious leaders, law enforcement agencies, political leaders and local representatives. Government should also take a proactive role in supporting networks and initiatives designed to eradicate the scourge of child trafficking.

The research report, *Child Trafficking along the India - Bangladesh Border: A Research Study*, is available as a separate document.



As the main child trafficking destination country in the area, the country is pivotal to the success of the MCA programme, and the government's willingness to put policies and systems in place to address cross-border trafficking is essential.

The Ministry of Women and Child Development (MWCD) has developed an Integrated *Plan of Action to Prevent and Combat Human Trafficking with Special Focus on Children and Women*. This plan promotes community-based initiatives to prevent trafficking, such as awareness-raising programmes directed to particularly vulnerable communities and the involvement of communities to act as watchdogs and informants on traffickers and exploiters. A multi-stakeholder approach to trafficking prevention is proposed, involving central (national) and state government representatives, law enforcement agents, UN agencies, NGOs and other civil society key actors and the private sector. The tourism industry, including airlines, hotels, travel agencies, beer bars, holiday resorts, etc. will also be sensitised to trafficking issues. However, central and state level implementation of the Integrated Plan has been weak due to resource limitations.

A number of initiatives have also been forthcoming from the Ministry of Home Affairs (MHA). In January 2012

it published an Advisory on missing children, which presented measures needed to prevent trafficking and to trace victims.<sup>22</sup> It noted that the issue of missing and untraced children, based on police records, is a matter of deep concern to the Government of India, and that it requires a concerted and systematic attention of central and state governments. It also noted that since missing children are exposed to high risk situations, they are vulnerable and fall prey to crimes of exploitation and abuse, including human trafficking, and that it is necessary for effective steps to be taken for investigation of cases relating to missing children and the tracing of these children.

In addition to the MHA and the MWCD, the Ministry of Foreign Affairs is also important in the context of the MCA programme. But with them, as with other departments, the attitude of key officers can be crucial to the take-up of a new initiative. As officers get transferred between departments the attitude of a new appointment can differ greatly to that of his/her predecessor. Nonetheless since bureaucrats at the highest level are dependent on the inputs and opinions of departmental Deputy Secretaries and Under Secretaries, getting their commitment to the initiative needs to be a key component of MCA programme strategy.

It is also important to note that while the MHA have started to interact with civil societies intermittently over the last decade, the Ministry of Foreign Affairs is less accessible than the others for civil society organisations.

In India the National Commission for Women (NCW) has been pro-active and shown some initiative in relation to young and adult women. It has also been to the fore in proposing amendments to anti-trafficking legislation. However the National Human Rights Commission (NHRC) has been less to the fore, as has the National Commission for the Protection of Child Rights. While the NHRC produced a national level report of Action Research on Human Trafficking in 2004, the MCA programme will have to evolve an appropriate strategy with respect to both of them rather than expecting guidance. Indeed networking with national level bodies will play a vital role in the wider acceptance of any MCA initiative in India.

In 2005 the Government of India released a *Protocol For Pre-Rescue, Rescue and Post-Rescue Operations of Child Victim of Trafficking for Commercial Sexual Exploitation*,<sup>23</sup> however this does not have the status of a bilateral instrument.

There has to be further clarity specifically on the dual status of the

Effective, child-centred repatriation procedures are required between India and Nepal (currently non-existent) and India and Bangladesh (not properly implemented)

rescued child. Currently in India if a rescued person is an alien they are also booked under legislation dealing with passports or foreigners if he/she fails to produce the appropriate documents like passport, work permit, visa etc. There is no well-defined protocol for repatriation of trafficked Nepali children from India to Nepal. Indeed the process differs from State to State in India on the way they deal with Nepali children. NGOs have observed that missing and found cases are reported in places where there are diplomatic missions of Nepal, such as New Delhi and Kolkata. The diplomatic missions then send the information about found children to the Chief District Office in Nepal and ask them to locate the families of these children. The view they hold is that these children should be handed over to their kin and families and not to NGOs. In doing so the possible risks associated with being sent back to their families could be overlooked.

The procedure for deportation or repatriation of unauthorised person between India and Bangladesh is

<sup>22</sup> The advisory which was drafted by Ms Bhamathi Nair, who was at that time Additional Secretary to Ministry of Home Affairs, is available at <http://mha.nic.in/pdfs/CS-AdvMisgChd-070312.pdf>.

<sup>23</sup> Available at <http://wcd.nic.in/TraffickingProtocol.doc>.

formally laid down. However since it involves several agencies and is not clearly budgeted, the process suffers from delays and lack of clarity. For example, there is vagueness on who will incur the expenses for food and other incidentals for the victims and their escorts while in transit.

### 2.1.4 Cross-Border Perspective

A UNICEF report in 2008<sup>24</sup> noted that there is a lack of synergy and coordination between and among the action plans and the many actors involved in anti-trafficking initiatives in the region, including governments, UN agencies and NGOs. According to the report the diversity of their mandates and approaches makes coordination at national and international levels a challenge.

Attempts to address cross-border child trafficking have proved to be particularly problematic because of a lack of common definitions and understandings, and the existence of different perspectives on the issue. For a start there is no commonly agreed definition of trafficking (UNODC, 2011). Furthermore, the definition of a 'child' can vary as has been noted already. This has an impact on how the police, courts and other stakeholders address a child's rights, needs, vulnerability and decision making.

Child trafficking is often seen in the context of labour or sexual exploitation, with the latter focusing primarily on women and girls. In some cases it is approached as a migration issue or as a sub-category of human trafficking. Furthermore, authorities often see it as a law enforcement issue, and their responses are thus primarily focused on criminal prosecution and tighter border controls.

The lack of immigration laws between India and Nepal, coupled with the lack of policing along much of the border, makes movement between the two countries easier. However anti-trafficking efforts by Nepali NGOs like SAATHI, ABC Nepal and Small Hands have been focused on border vigilance, as the open border facilitates ongoing trafficking to India. These NGOs are on constant lookout for traffickers using the Birgunj, Nepalgunj and other border crossings that can be used to take Nepali girls and women to India. In this they work in close cooperation with the District Police. Efforts are also made at local level to address the issue through meetings between the border police of India and Nepal. However as was noted already, such endeavours are not adequately replicated at a higher level.

In the case of Bangladesh, the historical cultural affinity between the border Indian state of West Bengal and



**Figure 3:** This shop is located beside the India-Bangladesh border river on the Bangladesh side (less than 150m from the border). It is used as trafficking point, and is usually open from afternoon to midnight.

what is now Bangladesh continues to overshadow and defy the national boundary between the two countries. The Bangladeshi State agencies' reluctance to stand in the way of illegal migration makes the identification of illegal immigrants from that country and their subsequent return less likely.

Indeed the State of West Bengal effectively functions as a cushion state for the illegal entry and initial stay of Bangladeshis in India, until such time as they move to other States, sometimes with documents to support their stay.

The reluctance of the Bangladeshi side to prevent illegal immigration to India means that information relating to trafficked children is less likely to be shared.

The illegal immigration of Bangladeshi nationals to various parts of India has attracted a lot of attention and from time to time there are violent expressions of anger against the immigrants, especially in the north eastern States. The issue of right of residency for Bangladeshi illegal immigrants has been discussed but is not viewed favourably in India.

<sup>24</sup> UNICEF Innocenti Research Centre. (2008). South Asia in Action: Preventing and Responding to Child Trafficking: UNICEF.

The proposal of issuing work permits to adults has also been rejected, as have any proposals to issue work permits to the Bangladeshi children trafficked or illegally immigrated to India. This opposition is not just at bureaucratic and diplomatic levels; the idea is also opposed by civil society organisations who point out that the country is moving towards a total ban on child labour.

These factors must be taken into account when looking at cross-border cooperation between Bangladeshi and Indian authorities in relation to trafficked children.

The lack of proper reunification of children from West Bengal to Bangladesh has been highlighted by a number of organisations working in the area. In their 2011 report, *Crossing Boundaries: Cross-border Mobility of Boys between Bangladesh & India – An Exploratory Study*,<sup>25</sup> Sanjog described it as “lengthy and cumbersome, involving different government departments and personnel”. They point out that no coordination mechanism exists for shelter home authorities to communicate directly with agencies in Bangladesh to expedite the process, and that a dependence on one NGO to facilitate the process is inadequate.

The Sanjog report identified many categories of Bangladeshi children

found in India. In addition to those trafficked without the connivance of parents, there are children who cross the border inadvertently because of its physical vagueness or as a result of wanderlust. There are also children whose parents have been a party to their legal or illegal immigration to India, and who later realise that they are being exploited or abused and want to get them back. This by itself does not mean that the child, once returned, will be provided for by the family or the State, or that the child will not be stigmatised. This is one aspect of the failed reunification system.

Another symptom of the failure of the reunification system is the practice of ‘positive trafficking’. This refers to covert repatriation of a child by a well-meaning NGO in cases where the authorities are unlikely or unwilling to repatriate a trafficked child. This practice is ultimately undesirable as it makes double victims of the children and perpetuates a failed/poor system.

There have been nascent bilateral meetings to address child trafficking between Bangladesh and India. UNICEF has been active in getting the governments to come together on the issue, for example, particularly in relation to the rehabilitation and repatriation of children from India to

Bangladesh. In fact a Memorandum of Understanding (MoU) was developed by the Bangladesh Government with the support of UNICEF; this is in the process of being signed by the Indian Government. Furthermore, the Bangladesh government’s National Plan of Action notes that the development of the SOP to be followed by law enforcement agencies, development practitioners or rights activists receiving and sending a child victim of trafficking provides a normative and practical framework for “the identification and rescue of victims, for the entry of data regarding their particulars, for placement of victims and the collection of information, for sharing information among the taskforces, administration processes, permission for repatriation, physical repatriation itself, and the reception of the repatriated victim”. However as a declaration adopted by civil societies from India, Nepal and Bangladesh and organised by Rights Jessore in June 2012 noted, ineffective implementation of laws and legal inadequacies often delay the process of rescue of trafficking victims or in establishing legal identification of victims of trafficking. The solution according to the Declaration is two-fold:

*“Along with capacity building of law enforcing and border security forces there is a need of building a*

*regional framework based of SAARC Conventions, national laws, harmonisation of laws and bilateral arrangements to strengthen the cross-border cooperation and joint monitoring to identify, rescue and recover the victims of trafficking in a humane and effective way.”*<sup>26</sup>

The scale of trafficking of children between Nepal, Bangladesh and India is so high that the issue cannot be addressed unilaterally by any single government. The MWCSW in Nepal recognise that they do not even have authentic data on cross-border child trafficking, as the data that does exist is not verified or cannot claim to be accurate. It is therefore difficult for them as the Ministry responsible for the NPA to define the true scale and scope of the problem. This in turn makes it hard to respond effectively or to resolve with action.

NGOs have played active roles in the rescue and rehabilitation of victims, but attempts by organisations to affect a rescue beyond national borders are limited for a variety of reasons including capacity and sovereignty. Responsibility for rescues should always remain with the police and for this reason (as well as the fact that rescue operations are very risky ventures) the support of the local police is imperative. This invariably requires effective information sharing

<sup>25</sup> Available at [http://www.childtrafficking.com/Docs/sanjog\\_11\\_crossing\\_boundaries\\_0112.pdf](http://www.childtrafficking.com/Docs/sanjog_11_crossing_boundaries_0112.pdf).

<sup>26</sup> See <http://www.rightsjessore.org/Documents/Law%20and%20Our%20Rights.htm>.





**Figure 4:** In many cases the India-Bangladesh border is marked by a small river or canal between the two countries. This picture, taken from the Bangladeshi side, shows people on the Indian side.

between the authorities and NGOs in the two countries. With the right technical infrastructure and governmental support, this is a role that can be filled by a CBCT response system.

In all three countries, the government officials who were interviewed expressed support for the MCA concept. Police support was also evident in all three countries – for example in Jessore, one of the districts selected for the MCA pilot project in Bangladesh, one officer stated that they would want to be involved in any

work on trafficking and missing children with Plan, and would share information. Politicians in Nepal and Bangladesh were also enthusiastic about the creation of a comprehensive database for children. However it is important to keep in mind the political and administrative impediments when assessing the enthusiasm and willingness to create a comprehensive system for tracking trafficked children in these two countries. Despite what is said, the implementation of any technology-based system is likely to be a slow and difficult process.

## 2.1.5 Opportunities, Challenges and Constraints

The following list summarises the opportunities that exist vis-à-vis the current legal and political landscape:

- the commitment, in principle at least, of governments to the SAARC Trafficking Convention;
- the presence of SAARC and its apex body for children, SAIEVAC, as recognised regional actors in relation to trafficking;
- the willingness of the SAIEVAC Secretariat to cooperate with the establishment of the MCA programme (recognising the gaps in its Workplan);
- the engagement of the UN agencies in the region on the issue of trafficking;
- the presence of national plans of action in all three countries, and the fact that in Nepal and Bangladesh there is one ministry with overall responsibility for the plan;
- the convergence of opinion among the anti-trafficking groups in the region on the agenda of combating trafficking;
- the positive history of networking in South Asia, especially for anti-trafficking interventions, and their credibility at governmental levels;

- previous experience with repatriation agreements (in particular the experiences of UNICEF will be important);
- a history of sensitisation of the police and judiciary, and the tradition of involving civil society groups in their work;
- the government of India's proposal to ban all kind of wage labour by any child below 18 years of age by amending the law on child labour;
- other proposed legal changes in India, including the forthcoming amendment to the Immoral Traffic Act of India in light of the ratification of the UN Protocol on Trafficking by India in 2011.

In terms of challenges, the following need to be borne in mind:

- the porous physical borders and the presence of unresolved disputes in certain parts;
- the political/administrative predisposition in Bangladesh favouring out-migration of both a legal and illegal nature. This is likely to be exacerbated by climate changes in Bangladesh which may cause increased out-migration;
- the lack of prompt reporting and/or recording by the police of many missing children who are trafficked;
- the lack of legal provisions to deal with cross-border trafficking between Nepal and India;

- the use of children at the border in goods smuggling activities and illegal cattle trade, with the involvement of the larger communities living along the West Bengal – Bangladesh border;
- the cultural affinity between West Bengal and Bangladesh that shields trafficking and illegal immigration;
- disagreement among civil society groups on the issue of repatriation and deportation of victims and illegal immigrants from India to Bangladesh and Nepal;
- corruption among the personnel responsible for policing the border;
- the narrow interpretation of trafficking adopted by the SAARC Trafficking Conventions and national legislation, as well as weaknesses and loopholes in the national laws;
- the lack of legal alignment across countries on crucial issues such as the definitions of ‘trafficking’ and ‘child’;
- the fact that all the countries in South Asia are very good at bringing out documents, SOPs, protocols and plans of action but are weak on follow through and implementation;
- reunification has been shown to yield poor results in Bangladesh, causing re-immigration to occur;
- a lack of clarity and/or common understanding in relation to the phenomenon of missing children in the region; and
- a current lack of institutional leadership in relation to missing or trafficked children. This is true at regional level and at national level.

Overall, the political situation in which the MCA programme will need to work is complex. In addition to the impact of recent political instability in Nepal and Bangladesh the constitutional debate in Nepal and the elections facing both countries are also likely to have an impact at political level. As a result of supportive noises from civil servants and politicians in all three countries, there is a risk that the MCA programme will set unrealistic targets. Many of the processes relating to the cross-border trafficking of children (such as repatriation, victim assistance and support for prosecution) are directly dependent upon the performance of the enforcement agencies on which the MCA programme or its civil society partners cannot have any control. Relying on the assurances of bureaucratic officers will involve high risk on this front.

Another issue to consider is the fact that MCA programme efforts to sensitise and train enforcement personnel and judicial officers will require careful planning. Such personnel are not at the disposal of a civil society organisation as they need

to be released from their duties by permission from the government or higher courts. In India most states now have their own institutionalised training programmes and training academies. Sporadic training programmes are organised by agencies like UNODC in collaboration with the government or Home departments. However for civil society initiatives the availability of trainees is a big question mark.

For the MCA programme to succeed it requires a detailed, accurate, and ground level understanding of the actual processes of trafficking, rescue, post rescue, restoration and repatriation, instead of being guided by national level reports which have a dubious credibility and government’s declared or stated intentions which often lack conviction. Furthermore there is a need to understand the inbuilt political bias of commentators in order to get a good understanding of the phenomenon of child trafficking, and of the likelihood of any intervention to succeed.

An important component of this work is to set stakeholder expectations in relation to the implementation of the technologically enabled system. It is also essential that user input is gathered as part of the stakeholder engagement at national and regional level, in relation to the functional design and deployment (including training).

The MCA programme should appoint a person in each country with the necessary authority and reputation to be able to engage with national stakeholders, while accurately reflecting reality on the ground at local level. This involves liaising with lead government authorities in each country, and developing relationships with key political, civil service, NGO and civil society personnel who can help to exploit the opportunities and deal with the challenges identified.

The Regional MCA Coordinator must work in a similar capacity with the regional stakeholders, while overseeing and coordinating the stakeholder engagement activities taking place at national level. The goal is to build a supportive environment for the deployment and effective use of fit-for-purpose technology to address individual cases of cross-border child trafficking.

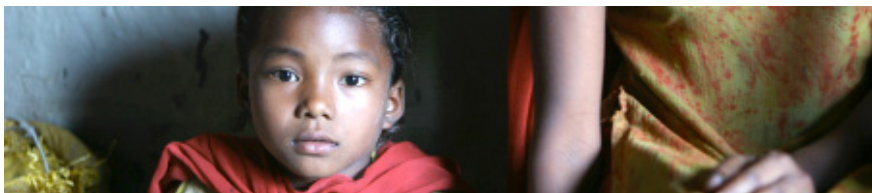
On the legal front it is important to engage specialist expertise to do an exhaustive analysis of the situation at national and regional level, and in particular to identify where changes are required. The weaknesses that have been identified are significant, and the MCA programme should work, along with other influential stakeholders, to



strengthen the law in order to better protect children and other victims of trafficking. However this work can be

done in parallel with efforts to track, trace and repatriate child victims of cross-border trafficking.

## 2.2 Information Management and Child Protection



Worldwide, the most widely accepted definition of trafficking is the one provided by the UN Protocol on Trafficking (Palermo Protocol). It defines ‘trafficking in persons’ as

*“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation”.*

As the UNODC (2011) report notes, domestic laws in the South Asia region lack a shared understanding of trafficking. The most commonly applied definition is the one adopted by the SAARC Trafficking Convention which, as was noted already, is limited

to trafficking for sexual exploitation. Nonetheless it is important to have a common understanding between governments and other MCA stakeholders in order to ensure the effectiveness of cooperation efforts and the development of future policy.

A “missing child” is generally understood to be a person under the age of 18 years whose whereabouts are unknown. This definition encapsulates a range of sub-categories of missing children. The International Centre for Missing & Exploited Children (ICMEC) has identified a number of these, including but not limited to: “Endangered Runaway”, “Family Abduction”, “Non-family Abduction,” Lost, Injured, or Otherwise Missing and “Abandoned or Unaccompanied Minor”.

The ICMEC highlight the importance of understanding what is meant by a missing child:

*“A common definition of a ‘missing child’ with clear categories facilitates coordination and communication across jurisdictions and ensures that policies and programs comprehensively address all aspects of missing children’s issues. Although all missing child cases should receive immediate attention, investigative procedures following the initial report may vary based on the case circumstances.”<sup>27</sup>*

The MCA programme deals with one specific category of missing children, which is children who are victims of cross-border trafficking. The name “Missing Child Alert” implies that it raises alerts for all missing children, and this has the potential to cause confusion among stakeholders.

Trafficked children do not fit into any of the missing child categories already identified by the ICMEC. New categories are required, not only to provide clarity to the work of the MCA programme, but also to assist the police and other service providers.

Clearer understanding of the nature of a missing child case would help to ensure a greater focus on the child and the facts surrounding her/his disappearance rather the intent of the

In order to provide clarity of purpose for all stakeholders, the MCA programme should be branded as a child-centred programme with particular focus on cross-border trafficking and the actions required in response to individual cases. The technology enabled component should be named to better reflect the focus on cross-border child trafficking. This will provide better understanding of its role than the name “Missing Child Alert” and will ensure greater clarity amongst stakeholders as to its scope.

person who may have caused them to go missing. The aim is to ensure that the child’s safety, well-being and protection are the priority. In order to achieve this, the missing child categories need to be specific so that the police and other authorities know how to respond to each recorded case. If the categorisation is too broad, they may not respond appropriately to the needs of the child.

Well defined categorisation of missing children also facilitates coordination and communication across jurisdictions and ensures that policies and programs comprehensively address all aspects of missing children’s issues.

<sup>27</sup> From International Centre for Missing & Exploited Children (ICMEC). (2011). Missing Children in Central America: Research of Practices and Legislation on Prevention and Recovery: United Nations Children’s Fund (UNICEF), International Centre for Missing & Exploited Children (ICMEC),. Retrieved from [http://www.icmec.org/en\\_X1/icmec\\_publications/Central\\_America\\_Missing\\_Children\\_Report\\_Final\\_.pdf](http://www.icmec.org/en_X1/icmec_publications/Central_America_Missing_Children_Report_Final_.pdf).

Investigation of missing children is already problematic in each of the three MCA target countries. In India for example the police will only investigate a case when an FIR is registered in a police station. Many missing child cases never get reported to the police, and as noted already even when they do an FIR may not always be recorded. Missing children may also be reported to other agencies, including non-governmental organisations, in addition to or instead of, a report to the relevant police. Approximately 500 missing children per year are reported to the 1098 toll-free child helpline run by CWIN in Kathmandu, for example.<sup>28</sup> Of these around 45% are found.

### 2.2.1 Standard Reporting

In order to ensure consistency across the range of service providers and other organisations working with and on behalf of missing children, common definitions, standards and thesauri are needed to ensure proper and consistent reporting and follow-up. The MCA programme should take an active role in bringing this about, through collaboration with ICMEC who have begun conducting worldwide in-depth research on legislation, best practices, and policies relating to missing children.

MCA programme involvement in this research will ensure that the particular needs of victims of cross-border child trafficking in South Asia are taken into consideration. It will also provide a basis for the development of interoperable child protection systems.

Already a large body of knowledge exists in relation to the recording and alerting of missing children. At a regional level there are a myriad of formats in use to describing a missing child. Getting agreement on a shared, comprehensive data model, with coded typologies to describe the status of a missing child, the physical identification markings on him or her, etc. will ensure coherence and consistency of information and will facilitate faster searching across systems. This data model should also support the use of non-coded data, and in particular photographic and biometric data.

The use of coded typologies will ensure that the recording of missing and found children is consistent across all languages, and that matches can be found between records entered in different languages.

In addition, the principles of documentation and reporting of human rights violations should be applied. These include accuracy,

The MCA programme should take a proactive role in efforts to develop coded typologies or thesauri to support consistent and standard reporting of missing children in South Asia, in line with child protection norms and best practice. This should be done in collaboration with ICMEC who are already working in a number of related research areas.

objectivity, consistency and credibility. Furthermore, in order to produce meaningful statistics a controlled vocabulary is a fundamental requirement. It transforms the data relating to child trafficking cases into a countable set of categories without discarding important information and without misrepresenting the collected information.<sup>29</sup>

The development of a standard data model should be the basis for the design of any technologically enabled information systems implemented as part of the MCA initiative.

### 2.2.2 Child-Centred Information Flows

A holistic approach to child protection dictates that a cross-border child

trafficking response system should support the full range of activities triggered by the reporting of a missing child who is presumed to have been trafficked. Taking an event-based approach favoured by human rights organisations, a series of high level events can be identified. These include but are not limited to: child is reported as missing; child is recovered; child's body has been found; child is referred for rehabilitation; child is safely integrated into a new environment in the country in which (s)he was rescued; repatriation process has been initiated; repatriation has been completed/ process of reintegration has been set in train; and child is safely reintegrated into their family and community.

Each event triggers a set of child-centred actions and information flows that can be configured based on the details of the event and the context in which the event is occurring. Figure 5 describes the information flow that should take place in the source country for the first event in the process, which is that a child is reported as missing. It shows a series of six fundamental actions that should occur, as follows:

1. Intake of initial missing child report. This occurs when a family member approaches the police or other agency to report a missing child.

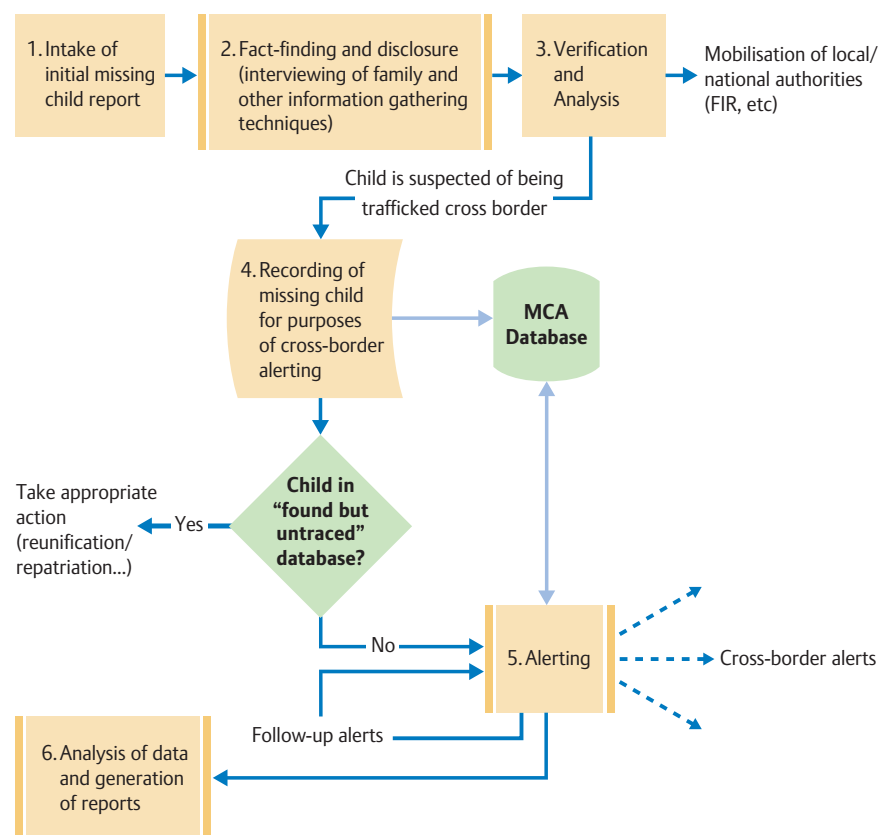
<sup>28</sup> This system or service is not effective across the entire country.

<sup>29</sup> See Silva, R. (2002). On ensuring a higher level of data quality when documenting human rights violations to support research into the origin and cause of human rights violations. *Joint Statistical Meetings – American Statistical Association*.

2. Fact-finding. This includes interviews with the family and community members, as well as other information gathering. Child helpines typically undertake these activities.
3. Analysis and verification of findings by state authorities (police).
4. Recording of missing child in a CBCT response system (database) if it is believed that the child has been trafficked. This results in a search of “found but untraced” children, and triggers an alerting process if no match is discovered.

5. Immediate alerting, and the setup (manually or automatically) of follow-up alerts.
6. Analysis of data, and the generation of periodic statistical reports.

**Figure 5:** Flowchart showing information flows for reported missing child



The first three actions shown in Figure 5 should ideally be handled by an in-country missing child system which is used by the police, while the second three should be handled by a coordinated cross-border response system. It is possible to implement either half (actions 1 – 3, or actions 4 – 6) as manual systems (i.e. not technologically enabled) – for example Nepal or Bangladesh might not have a missing child database in place.

However the long-term vision should be to technologically enable all parts in all countries.

The police should be the gatekeepers in relation to adding missing children to any CBCT response system. For this to be effective, the police need to be sensitised to adequately investigate missing child reports and have the capacity to use the CBCT response system effectively. Work is needed on both fronts, and as a result the MCA programme needs to engage at political and departmental level to bring it about.

The alerting system shown in Figure 5 must incorporate immediate alerting of the appropriate authorities (police, border guards, railway police, etc.) as

The analysis and verification of information relating to a missing child should be done by police in the source country, whereas the recording of a trafficked child, the sending of alert messages, and the subsequent analysis of data and generation of periodic reports can be handled by a regional cross-border response system. The processes of reporting and alerting could be implemented as one technological system with distinct functionality and user roles.

The functionality and user interfaces of the systems for reporting, recording and alerting must be done through discussion with key stakeholders, particularly the police who will record and initiate alerts for a missing child. While this will inevitably slow down the deployment process, failure to do so may result in a system that is not accepted by the authorities upon whom its success depends. This means that State support for the concept and their involvement from the start are essential.

well as NGOs along the likely transit routes. It must also schedule follow-up alerts if the child has not been found/rescued after a period of time. The configuration of the alerting schedule is a vital component of the system which requires expert understanding of

One point that requires further discussion with stakeholders is the question of alerting for children who are reported as missing and may have been trafficked or abducted internally within the country. These cases could be handled by internal police systems. Alternatively the cross-border response system could be designed to support responses to internal trafficking.

The MCA programme needs to work with the law enforcement agencies in each of the target countries, and through SAARC mechanisms such as the Chief of Polices conferences, to reach agreement on the minimum criteria for launching a cross-border alert.

The CBCT response system should limit its activities to those that require cross-border communication and collaboration. This means it should support information flows relating to trafficked children that may have been taken across a border, found children whose identity is not known (resulting in a search of existing databases, including the CBCT response database), and rescued children whose needs may be best addressed through repatriation and reunification.

how the traffickers behave and their routes. Furthermore, it will benefit from a proactive approach whereby alert recipients are identified along with the most appropriate means of alerting them. A controlled database of alert recipients should be managed in support of this work.

It is widely accepted that the first hours after a child has been taken provide the best opportunities for rescue. It is therefore vital that alert notifications are sent as quickly as possible to the authorities and NGOs along the likely trafficking route taken. However the advantage of immediate alerting must be balanced with the need to ensure the veracity of a missing child report. Even more importantly, a decision to send an alert notification needs to take into account the safety, well-being, and dignity of the child. A basic principle adopted in missing child alert systems around the world is that there must be sufficient information for the recipients to be able to respond to an alert. While much of the alerting can be automated, the preceding activities can be assisted by technology but are primarily human-based. The decision-making process leading to the issuing of an alert must be clearly defined and understood.

Many MCA stakeholders are of the view that a system to coordinate all activities relating to the rescue, rehabilitation, repatriation, and reintegration of victims of cross-border

trafficking would be helpful. It has also been proposed that the MCA would have a role in actively supporting prosecution. While these are all desirable, it is overly ambitious and unnecessary to try to coordinate all these activities in one technological system or database. Instead, in-country (national) systems need to be strengthened to address areas like child welfare and justice.

Each case recorded in the cross-border response system should remain open until the child's rights and needs are known to have been fully met. This can take many years and may span a series of interventions including shelter home

placement, counselling, etc. that are managed by other in-country systems.

However agencies should be able to update the cross-border response system with information that is relevant to a specific case (for example information from the courts). However since updating the system is not likely to be seen as a priority for the judicial, law enforcement or child welfare authorities the ultimate goal should be to ensure automatic updates from the in-country case management systems, based on the use of a unique ID or some other means such as through the use of biometric data.

## 2.3 Technical Development



A number of different categories of stakeholders or information users have been identified in relation to the reporting of a missing child. These user groups, which are listed in Table 1, all have different information requirements.

Figure 6 shows the relationship between these and the reporting and tracking of missing children.

### 2.3.1 Existing Missing Child/Persons Systems in India, Nepal and Bangladesh

There are a number of technology enabled systems in place in India to support the reporting and investigation of missing children.



**Table 1:** MCA stakeholder or user groups that have different information requirements

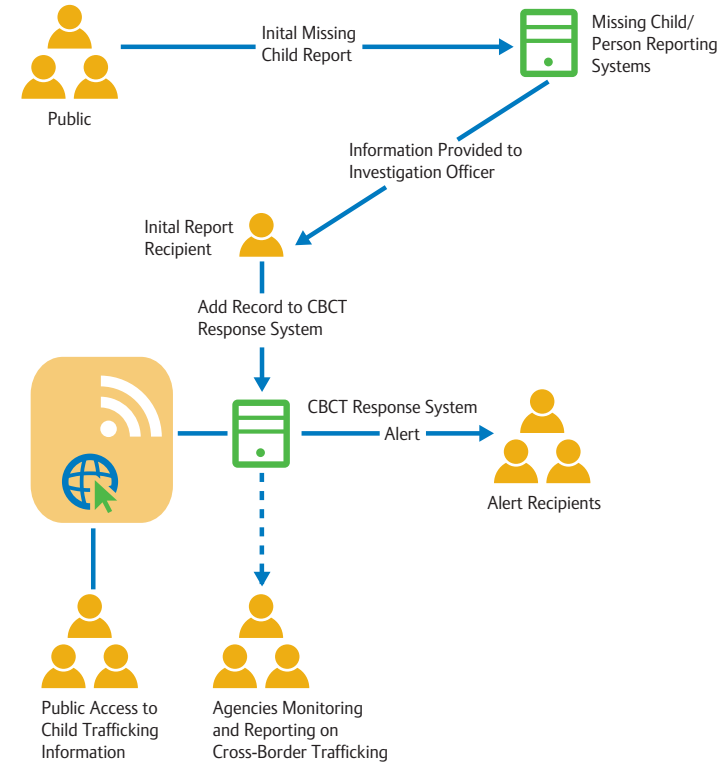
- |   |   |
|---|---|
| 1 | Members of the public who wish to report a missing child, and who have a right to receive subsequent information relating to the report. It is important to keep in mind that reports from family and community members may be mediated by an individual or agency to whom a verbal report is provided. |
| 2 | State agencies or their partners (such as child helplines) who receive the initial report, gather further information and analyse the findings in order to determine the likelihood or risk of trafficking.   |
| 3 | Alert recipients who can help to locate and rescue a trafficked child. In many cases these are agencies like the police who also receive missing or trafficked child reports directly.  |
| 4 | Agencies that report and analyse missing child data at national or regional level, including policy and programme implementers.   |
| 5 | Organisations and individuals who seek access to information on child trafficking in the region.  |

• **Andhra Pradesh Missing Persons System**

In the state of Andhra Pradesh (AP) in India, the Department for Women, Children, Disabled and Senior Citizens and the CID-Police run a system for tracking found and missing persons. This has a public web-based facility as well as a smartphone app for reporting a missing person, a found person or an unidentified dead person (<http://missingperson.ap.nic.in/>). In the case of a missing person report, the details are directed to the appropriate police via their internal Intranet-based messaging system or SMS. There is also a link with the

railway police, as the railways are frequently used for trafficking. Missing person cases are also uploaded and entered by the police from their own records. NGOs are licensed to use the system, but can only upload information on rescued persons (i.e. those in shelter homes).  
  
The AP missing persons system has the capacity to match missing and found persons based on the attributes provided. To facilitate this, the reporting interface for initial intake of information uses drop-down lists and other similar fields instead of free form text.

**Figure 6:** Missing child system users groups



The system was developed by the National Informatics Centre (NIC) which is a science and technology organisation under the auspices of the Indian government's Department of Information Technology. However they are not in a position to share the technology.

• **Other State-run and National Systems**

A number of other States in India also claim to have web-based missing child systems but most of these are tokenist in nature and indicate mere lip service to the concept. There is currently no evident coordination among these state systems. However in order to be effective as a national solution to the phenomenon of missing

children they should eventually all be merged.

One such system already claims to be a national missing person's portal (<http://trackthemissingchild.gov.in/>). It is run by the Kolkata police but there is no evidence that it is in widespread use, despite having a comprehensive list of stakeholders including the police, CID, Child Welfare Committees (CWC),<sup>30</sup> Juvenile Justice Boards (JJB), and the NCRB. The system also has severe shortcomings as a child protection system. In particular photographs are used in some but not all cases.

Like the Andhra Pradesh system, the Kolkata system was developed by the NIC.

The public display of photographs is something that requires careful consideration. In the absence of any other unique identification, missing and found children can be matched through visual inspection of their photographs (as in the case of the Andhra Pradesh system) or the use of specialist software to do the same. However the public display of photographs may in some cases put the child at greater risk.

There are indications now that the MWCD is keen on their own web

portal and data management. The deployment and further implementation of such a system is likely to take time and a lot of resources if it is to take off at the state and central (national) level in India.

The NCRB maintains a national database of missing persons under a range of categories including “missing”, “kidnapped”, “arrested”, “deserted”, “wanted”, “escaped”, “unidentified dead body” and “traced/found”. In principle, data is available on missing children of both sexes in the age groups 0-12 and 13-18. However because the NCRB does not investigate or monitor the recovery of missing children this information is incomplete. Furthermore, police stations generally do not provide information to the NCRB when a missing child is rescued, traced or returned. As a mechanism for the analysis of trends and patterns it is therefore limited and even misleading.

The Zonal Integrated Police Network (ZipNet) also provides data on missing children ([http://zipnet.in/index.php?page=missing\\_children](http://zipnet.in/index.php?page=missing_children)). Awareness of systems like this is low among the police however, and the data they

contain is incomplete. According to a number of NGO sources, ZipNet is particularly ineffective. The system is not user friendly or accessible, nor does it adequately define who is missing or why they are missing. Given the complexity of reasons why a child could be missing and the range of responses required, this is problematic. Furthermore the system is not inclusive of people who really know about trafficking and missing children. This and the lack of awareness within the police means the necessary information is not being shared within or by the system.

- **Homelink**

The Don Bosco National Forum for the Young at Risk (YaR)<sup>31</sup> manages a system called Homelink which is a web-based system that captures information on children at risk across India in order to assist and restore them to safety. The web site, <http://www.homelink.in/>, is dedicated to “ensuring the restoration of children back ‘home’ and assist in tracing lost or missing children”. It incorporates a missing child search network which is open to all organisations that serve unaccompanied young people

(<http://www.missingchildsearch.net/>).

Homelink incorporates a tool to document and assist in the search for missing children, their subsequent home integration and long-term rehabilitation. It also includes facilities for the documentation of a range of related services, as well as centres, NGOs and government organisations. As of August 2012 there were over 270 partner organisations using it, spread across 16 States.

The Homelink system is in effect a national databank of missing children. Anybody, including the police, can register, enter missing child complaints, and see what is happening to that complaint using a tracking number. If the Homelink central hub or any of the partner organisations locate the child, the person who reported the missing child is directed to contact the appropriate nearest Homelink node.

As an organisation Don Bosco has its own outreach teams who keep vigilance in public places, identify lost/roaming children and bring them to their shelter home. Other agencies like CHILDLINE,

<sup>30</sup> The Child Welfare Committee (CWC) is a mechanism that exists in every district of the state in India for the implementation of the Juvenile Justice (Care and Protection of Children) Act. A child can be brought before the committee (or a member of the committee) by a police officer, a public servant, CHILDLINE personnel, a social worker or any citizen.

<sup>31</sup> YaR Forum India is registered as Don Bosco National Forum for the Young at Risk [DBNF-YaR]. As their Missing Child Search website notes, it is an organisation for reflection, sharing and coordination among those involved in the youth ministry for the Young at Risk in South Asia, to network with likeminded persons and organisations on behalf of YaR, to influence policies related to the Young at Risk at the state, national and international levels.

Balprafulta and others also identify roaming children and bring them to the Don Bosco Shelters where they are kept for up to seven days before handing them over to the appropriate CWC if they are not traced.

While Homelink is the only operational nationwide missing child system in India, there are a number of limitations. Like all systems that are open to the public there is a risk of mischievous or misleading complaints being made as the information is entered without verification by the police. There is also potential for traffickers and others to browse the database, and pose as parents/guardians in order to claim a child. However the main limitation of the Homelink system is that its user base is predominately civil society based. It is not widely used by the authorities in any state, although at the end of November Don Bosco reported that in Bangalore 105 Police stations have been given user credentials and were using the system.<sup>32</sup>

State participation is vital since the authorities play such an important role in receiving and verifying missing child complaints. Furthermore it is central to international exchanges, treaties,

As the Homelink network and database is the only national missing persons system currently in existence in India, the MCA programme should consider it a key component in the overall infrastructure for missing children in the region. In so doing it should also recognise and take into account its limitations.

border control, the implementation of immigration policy, arranging deportations, repatriation, extradition or push back. Without active participation by the state authorities, a missing persons solution cannot be effective.

Don Bosco has offered their Homelink system to the Government of India, and are ready to collaborate with them to enhance and develop it further. However the MWCD have indicated that they would need more control over the software and data than Don Bosco may wish to relinquish. Nonetheless the Homelink system would seem to meet one of the key objectives of the government's Integrated Child Protection Scheme (ICPS) which is to "create mechanisms for a child protection data management system including MIS [Management

Information System] and child tracking system in the country for effective implementation and monitoring of child protection services".<sup>33</sup>

Don Bosco is now spearheading a new initiative known as ChildMISS (Management Information System and Services). This is an online comprehensive child tracking system for effective data management, monitoring and reporting, as well as tracking of a range of child-related services. The intention is that all stakeholders will provide data and will have access to system outputs. The addition of biometric data is also planned, primarily to track if a new child has already been added to the system.

Homelink and ChildMISS have the potential to incorporate information flows relating to all of the missing child events within India. In principle the software could be extended to cover Nepal and Bangladesh. However it is currently designed as a centralised national database, with partner organisations having local databases from which they can upload data.

Like the AP Missing Persons system, photographs are optional in Homelink.

While there are a number of systems in India with data on missing and found children, including the NCRB, the Homelink Network, and the CHILDLINE India Foundation who operate the toll-free 1098 child helpline, the situation is far from ideal. Firstly each system only captures a fraction of the missing children in the country. Secondly the data does not contain particulars of trafficked children. And thirdly the lack of synchronisation of data between the various systems means that individual missing children may be recorded in more than one system. It also means that in order to look for a missing child it would be necessary to search all the databases separately.

In Nepal, there are no technology-based missing persons systems, even though a number of organisations keep partial records. CWIN Nepal who operate the 1098 child helpline in the country keep written reports of children reported to them as missing for example. These reports are based on conversations held with family members (i.e. intake of initial information). The information is typically recorded on computers but not in a searchable database. CWIN inform the police or works with them. It also works with the District Child Welfare Boards (DCWB) as necessary. Their staff also work with organisations

<sup>32</sup> This was reported by the Don Bosco National Director on 1 December 2012.

<sup>33</sup> From the 'Integrated Child Protection Scheme: A Centrally Sponsored Scheme of Government – Civil Society Partnership' prepared by the Ministry of Women and Child Development. Available at <http://wcd.nic.in/schemes/icps.pdf>.

in India including CHILDLINE India, with communication mostly by phone or email.

As an organisation CWIN supports children directly where required by offering short- and long-term safe house accommodation, rehabilitation and counselling. They also help to find relatives or safe accommodation for children, provide basic skills or education support, and if necessary work with other partners to support them.

CWIN Nepal is a member of Child Helpline International (CHI) which has its own case management software. However due to insufficient staff CWIN are not in a position to use this. In India, CHILDLINE also have their own case management system for the children they work with or on behalf of.

The procedures used by the police in Banke (Nepal), which is one of the MCA target districts, is an example of a reporting and investigation system that relies exclusively on non-ICT based mechanisms. A hand-written register of reported missing persons, including adults and children, is maintained at the border station in Nepalgunj, for example. A typical report includes a record serial number, the missing person's name, age, address, date they went missing, narrative details. It also contains information about the person reporting, and if available, a photograph of the missing person.

The police at the border also receive carbon copies of missing person reports from the Women and Children Service Centre at the District Police Office.

The Nepali police share information with the Indian police. The view of one officer consulted was that they could share information about missing children using a computer-based system, but that this could not include information related to a crime.

Police at the border road crossings say it is virtually impossible for them to spot traffickers amongst the masses of people. Everything from heavy goods vehicles to cows are being taken across the border, including families with children who are moving legitimately. They try to react but have many other jobs to perform. For this reason they rely to a large extent on small NGOs who watch for trafficking and children at risk at the border.

In Bangladesh the situation is somewhat similar at the border crossings. Police take written statements from parents/guardians and keep paper records. They create a record of the report and share it with other stations and if appropriate with the Border Guards Bangladesh (BGB). If they believe that there is a prospective case of child trafficking they can take a child into protective custody. If urgency is required information can be transmitted on a police wireless system.

The agency most likely to keep records of human trafficking is the BGB. Information about missing children is not being reported to the police and in the case of one police station visited in August 2012 there had been no reports recorded in the last five months.

As with the Nepali police, the police in Bangladesh claimed there was a good cross-border relationship between police forces. They indicated that information about policing matters, including missing children and trafficking, was shared.

Police officers on the ground in Nepal and Bangladesh both expressed the view that they would be happy to be involved in initiatives like the MCA programme. However it must be recognised that the low priority assigned to cases of trafficking by the police, combined with an almost complete lack of technology and skills to use it, makes it extremely difficult to envisage any effective results without having a top-down commitment to the process.

### 2.3.2 Design Considerations

Each of the user categories listed in Table 1 has a particular set of requirements, which may vary from country to country, or even from community to community. These requirements must be elicited through in depth consultation with representatives of the user groups. In addition, the system owner(s), meaning

the authority or organisation charged with delivering and managing the system, will have their own requirements. These will be influenced by policy and best practice in relation to system governance.

The starting point for technical development is the analysis of the requirements of each of these user groups. Through consultation with stakeholders as shown in Orbit 1 and Orbit 2 in Figure 2, a number of overarching considerations are identified. These include accessibility, security, data protection and availability.

#### Accessibility

First and foremost, the means to report a missing child must be accessible to communities in which people do not have access to computers or smartphones, or may not have adequate literacy skills to file a missing child report themselves. This means that at community level there is a need for mediated services in which competent individuals or structures can facilitate reporting. In this way technology not only simplifies, standardises and automates the reporting of a missing child, it also leads to opportunities to raise awareness of what to do when a child goes missing and of trafficking in general.

In these environments, entering or updating individual reports must be possible in the primary local



The MCA programme should partner with community-based ICT service providers such as D.Net and the government-run Union Information and Service Centres in Bangladesh to ensure that communities have access to the initiatives supported by the MCA programme. This strategy should be extended to include awareness-raising around child trafficking.

language(s) of the area. This means that computer (web) based interfaces for missing child reporting, as well as smartphone apps, must be translated into a range of languages. Alerts must also be sent in the language spoken by the recipients.

In Bangladesh two specific opportunities for mediated missing child reporting were identified. The first is the Union Information and Service Centres (UISC) which are owned by local government, and the associated Union Resource Center for ICT (URC-ICT) which are managed by a Union-level body of community groups. Entrepreneurs working at one UISC suggested that these could be important hubs for the reporting at local level, as they could facilitate reporting by community and family members, as well as awareness raising and provision of information to the community. The UISCs also keep records of birth registrations within

their area of coverage and this is something that can be leveraged by the MCA programme. The second opportunity is provided by D.Net, which is a social enterprise that promotes access to information and knowledge for all citizens through interactive digital media. Their Infolady model, which involves trained rural women who travel within their locality offering a variety of ICT and non-ICT based services within the community, can provide missing child reporting services using, for example, smartphone apps. In addition to the timely reporting of a missing child, the Infolady can help to make citizens more informed about the choices available to deal with the trafficking problem, and can assist with better reintegration of the victim back into the community.

It is important to ensure that families not only have an opportunity to report a missing child but also have access to information related to the report at a later time. Special attention must be paid to the need for family members to access the latest information about their missing child, and that access to the information may need to be mediated by community-based service providers like D.Net. Access needs to be provided in a way that protects the right to privacy.

This is an example of a design consideration that requires discussion with communities before building the technological solution.

### The D.Net Infolady Concept

An Infolady is a trained rural woman and professional who travels within her locality, on a bicycle and offers a variety of ICT and non-ICT based services at the door-step in rural communities. She is equipped with a range of tools and technological apparatus, including a netbook with a webcam and a modem for Internet connectivity, digital camera, and mobile phone. She also carries a weight measurement machine, blood pressure machine, blood/pregnancy/sugar testing kit and other equipment to provide health related services. An Infolady can provide livelihood related information and services at a cheaper rate since she is supported by an offline and online database and has access to useful information.

An Info person can be a male or female, but women are encouraged since they have a higher acceptance to female beneficiaries/customers (and have easier access to the part of the residence where women members of the family lives) compared to their male counterpart. Currently D.Net has 55 Infoladies actively working in different parts of the country. They are also in the process of franchising the model nationally and have initiated dialogue with the Ministry of Women and Child Affairs of Bangladesh with a view to replicating the model countrywide. The government has taken a keen interest in the model and is considering the potential for introduction of Infolady in 4,500 Union Parishads around the country where information centres have been set up. If effectively implemented, this plan would introduce 50,000 Infoladies all across the country.

In many parts of the world missing child alert systems are designed to engage the public in the search for the missing (presumed abducted) child. However the situation is different when searching for trafficked children in Nepal, Bangladesh or India. Here the alerts should only go, in the first instance at least, to trusted parties that may be able to locate the child. This is in order to ensure the child is not put at greater risk than (s)he has been subjected to already. The recipients include local police stations, border guards, railway police and NGOs. In some cases the available alert receiver

devices may include fixed line telephones, mobile phones operating on second generation (2G) networks, and old or refurbished computers with low bandwidth Internet connectivity.

Existing police networks in India, Nepal and Bangladesh use phone, internal messaging systems, and to a lesser extent email communication, to transmit information internally. Cross-border interaction between services such as child helplines are also primarily phone and email-based.

In order to ensure that the alerts are accessible to recipients these current

There is likely to be a division of responsibilities between the initial alerts from the cross-border response system, and the local distribution of alerts – for example using police networks. In this case the need to support less technologically advanced means of communication can be delegated to central nodes in local networks. For example the CBCT response system alerts the relevant CID anti-human trafficking units in India. These then use their internal police networks to circulate the information.

The initial focus of the MCA project should be on the use of simple, accessible IP-based interfaces for approved alert recipients. Nonetheless system designers should ensure that viable options exist for sending out alert information to large numbers of individuals and companies through mobile phones networks, data feeds to the broadcast media and interfaces to emerging communications channels like social media.

capabilities need to be borne in mind. Email notifications are a core minimum requirement. Simple client interfaces can also be implemented through which alerts can be presented in a police station, for example (these can be browser based). In some cases it

may be possible to upgrade these interfaces to map-based displays on which 'live' or recent alerts are flashed up.

Other Internet-based interfaces can be implemented without significant cost at usage time. One viable option is to work with service providers (like Subisu Cablenet in Nepal for example) to combine alert messages with the delivery of IPTV services.

Use of mobile phone networks to send SMS messages to large numbers of recipients can be costly, unless tariff agreements can be negotiated with each network operator. In India there are at least 15 operators, the largest of which are Airtel, Reliance, Vodafone and the state-owned BSNL. Nepal and Bangladesh also have multiple operators. The costs are particularly high if the messaging is across borders (from one network to another). Internet-based IP traffic is more cost effective for cross-border and mass communication.

Although less widely accessible, the social media scene also represents a fast-emerging and important domain of information exchange, particularly in India. At the end of 2010 it was estimated that nearly 60% of the country's 83 million Internet users were active social media users, with Facebook, Orkut and Twitter all popular. A large number of users (mostly urban based) already access social media through smart phones,

In order to ensure that all accessibility issues are properly addressed, each user group must be active participants in the design of the technology-based system. This inclusive approach should be a key aspect of the pilot phase and all other phases of the project.

with this figure expected to grow to 72 million by 2014.<sup>34</sup> This will be driven by the reducing cost of smart phones and the launch of 3G services.

In the United States of America, AMBER(tm) Alert programmes that issue alert bulletins in response to the suspected abduction of a child utilise a Commercial Mobile Alert System (CMAS) to send alerts to mobile phone users. This is a public safety system that allows customers who own an enabled mobile device to receive geographically-targeted, text-like messages alerting them of imminent threats to safety in their area. No such system exists in the MCA programme target countries however.

For the purpose of widespread alerting, collaboration with broadcast media outlets, and electronic billboard

and road signage display operators, is an option that should also be kept in mind. These can be implemented using XML-based data feeds.<sup>35</sup>

## Security

Another important technical consideration is security. Data relating to all missing children, including trafficking victims, must be stored and maintained in a way that prevents unauthorised access, copying or tampering.

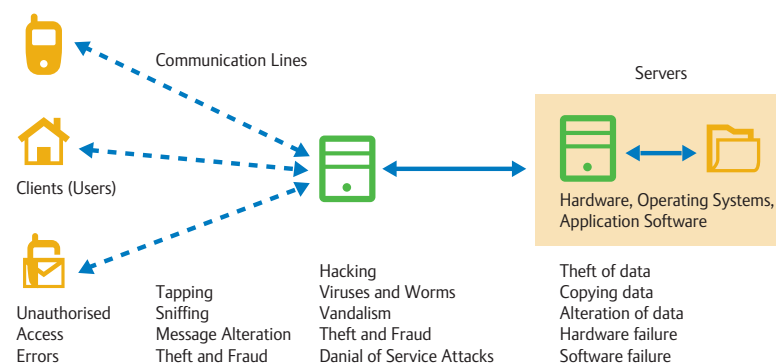
Information systems are vulnerable to a range of technical, organisational and environmental threats from internal and external sources. Figure 7 outlines the main threats to the components in a typical MCA network.

The CBCT response system will contain one or more databases in which information relating to the status of a trafficking victim is maintained. The confidentiality of the data must be protected at all times, with only authorised personnel or service providers having access.

The experience of Interpol and Europol with regard to cybercrime and in particular with Internet based pornography and sex tourism highlight

<sup>34</sup> Open Source Center. (2012). OSC Media Aid: Overview of Leading Indian Social Media. Retrieved from <http://www.fas.org/irp/dni/osc/india-social.pdf>.

<sup>35</sup> XML is a standard, simple, self-describing way of encoding text and other data so that content can be exchanged across diverse systems and applications. It offers a widely adopted standard way of representing text and data in a format that can be easily processed. Alerts formatted in XML could be exchanged across platforms, languages, and applications, and could be re-broadcast by a wide range of systems.

**Figure 7:** Security challenges and vulnerabilities in a typical MCA network

the technological sophistication of criminal gangs and their modus operandi. There is an ever present danger of the possibility of traffickers, child sex predators and other criminals exploiting any technical vulnerabilities in the system, in order to learn about missing children and how they can access them easily, for example by posing as a relative.

Even the most technologically sophisticated systems are vulnerable,

The matching of missing and found children should be based where possible on biometric data. Automatic photograph matching can also be done but stored photographs should not be publically displayed.

with human negligence being one of the biggest threats (for example leaving computers logged in for others to use). As a result, there are concerns about using photographs of children, with biometric data being seen as a preferred choice.

### Data Protection

It is important to keep in mind the issue of data protection when storing information on any individuals, including children. However in Bangladesh or Nepal there is no data protection legislation according to Privacy International.<sup>36</sup> In Nepal in particular there is a lack of awareness of both privacy and data protection issues, and about the available protections. In India there is increasing agreement that a data protection act would be useful, especially in promoting and protecting the large

### Cloud versus Dedicated Hosting

In terms of where the system software (and database) reside, there is a choice between cloud hosting and dedicated hosting. Clouds are typically defined according to three types: private, public and hybrid. With a public cloud (also known as a shared cloud) services are provided “as a service” over the Internet with little or no control over the underlying technology infrastructure. This cloud reduces complexity and long lead times in testing and deploying new products and is generally cheaper. A private cloud (also called an internal cloud) also offers activities and functions “as a service” but is deployed over an organisational intranet or hosted data centre. This is private product for a company or organisation offering advanced security and highly available (or fault tolerant solutions) that are not possible in a public cloud. The private cloud owner shares few, if any, resources with other organisations. Hybrid clouds offer an integrated approach, combining the power of both public and private clouds. Customised rules and policies govern areas such as security and the underlying infrastructure.

While clouds may be private or public, they are also further differentiated at the service-type level. There are broadly speaking three types of dominant services: Software-as-a-Service (SaaS) which refers to an end user accessing a remote service over the Internet; Platform-as-a-Service (PaaS) which is used by developers who wish to deploy applications in the cloud and do not want to get involved with the server infrastructure; and Infrastructure-as-a-Service (IaaS) which allows developers maximum interaction with the underlying server infrastructure including, but not limited to, deploying database applications in the remote environment.

In contrast to cloud based solutions dedicated hosting includes unlimited support for all hardware, services, and software. This typically provides the system owner with complete privacy and control, whereas with cloud hosting package scalability is often easier. It is possible to choose between different dedicated servers, but with cloud, one is not generally allowed to choose the hardware. However many private cloud providers offer all the features of a dedicated server.

Indian outsourcing industry that has come under criticism for security lapses. A Personal Data Protection Act was introduced in 2006 but has not yet been adopted. However industry has set up the Data Security Council of India to act as a watchdog on privacy issues. It promotes self-regulation based on international best practices,

and consults regularly with international industry associations.

India’s Information Technology Act 2000 which was adopted to promote e-commerce, and the subsequent Information Technology (Amendment) Act 2008 deal with the protection of sensitive personal data as well as

<sup>36</sup> See <https://www.privacyinternational.org/reports/pi-releases-analysis-of-privacy-issues-in-asian-developing-countries>.

If an in-country missing child system is being implemented by government, they are likely to insist on the use of their own data centres. However if it or a CBCT response system are being deployed by the MCA programme, a service provider should be chosen that can offer a secure data centre and connectivity solutions via a private cloud or dedicated hosting, along with a 24/7/365 support service. Service level agreements should be put in place to cover all such services.

security practices and procedures that must be followed by organisations dealing with sensitive personal data. These data privacy rules cover sensitive data which is defined as personal information that relates, among other things, to physical, psychological and mental health conditions; medical records and history; and biometric information.<sup>37</sup> There are conditions associated with the transfer of this sensitive data outside India which must be borne in mind when designing the system. These should be addressed by carefully examining the divisions of responsibility between the in-country missing child systems and a CBCT response system. The location of the latter will determine the need to transfer sensitive data outside India.

### Availability

Another issue of technical importance is system availability. The child trafficking response system must be available at all times (24 hours a day, 7 days a week) as a mechanism for reporting a missing child. Similarly, while the timing of alerts may in some cases be managed to optimise the potential of the recipients to respond effectively, it should be possible to send them at any time of the day or night.

- The system(s) should be housed in secure data centre facilities which meet industry standard high uptime criteria for reliability and maintainability;
- Multiple levels of security should be provided, with a combination of secure access and 24/7 surveillance (monitoring and recording);
- Server and backup power redundancy are required, as is server failover (a means of ensuring the high availability of applications and services); and
- Redundant links are also required to ensure maximum uptime, optimised network connectivity and highest possible bandwidth.

In order to ensure that the system meets the required standards in terms of accessibility, security, availability,

### Nepal's Technological Capacity

The rapid improvements in ICTs are revolutionising the way modern governments deliver services to its citizens. Nepal has taken some steps towards developing its IT infrastructure, similar to governments in other developed countries.

Of the various technologies available, radio is the most widely owned and used according to a USAID/OTI study entitled Media Impact Assessment in Nepal, conducted in 2009. Every four in five adults have access to a radio at home, and one in every two adults use it as a source for news and information every day. Cell phones are the second most widespread item, with more than three in four adults having access to one at home. TV is quite common, being available in more than two thirds of households, with almost half of all households having access to a cable connection. The same report also showed that 37% were interested in media coverage that discussed human rights issues and that the percentage increased with an increase in education.

In comparison, there is very limited access to the Internet in the country and especially in the rural areas. In 2009 there were approximately 625,800 Internet users in Nepal which was only 2.1% of the entire population. To help improve the Internet connectivity in the country the Indian Government helped install a national optical fibre backbone which stretched from east to west of Nepal and is connected to India via several connection points. The Chinese Government also funded Nepal Telecom to complete a fibre optic project linking Kathmandu to Khasa. The completion of these projects has helped to provide a cheaper and reliable alternative to expensive satellite communication. Currently there are over 44 Internet Service Providers in the country which provide Internet connectivity through various access methods such as dial-up, leased line, broadband, VSAT, GPRS and wireless hotspots.

Even though the government has made various efforts to improve Internet connectivity in the country its penetration rate is still low. In 2009 there were less than 200,000 subscribers who had access to data services and a majority of them were from urban areas. Internet service availability in the rural areas is still poor, even though the Government in its 10th five-year plan (2002-2007) had aimed to establish 1,500 rural telecentres within the country, with a strategic focus on content development and social appropriation, sustainability and community ownership issues. One of the main hindrances in using the Internet in rural areas is the outdated telecommunication infrastructure in the country. Furthermore the lack of a reliable supply of electricity has been seen as a major constraint in the adoption of ICTs in the rural areas.

<sup>37</sup> For more information see Ananthapur, R. (2011). India's new Data Protection Legislation. 8:2 SCRIPTed 192. Retrieved from <http://www.law.ed.ac.uk/ahrc/script-ed/vol8-2/ananthapur.asp>.



scalability and adherence to good reporting standards, ISACA should be asked to audit any proposed solution, beginning at the design stage. This is an independent, nonprofit, global association, engaged in the development, adoption and use of globally accepted, industry-leading knowledge and practices for information systems. They have chapters (membership structures) in Bangladesh and India.

### 2.3.3 Local IT Capacity

India has a thriving IT and IT enabled services (ITES) sector, capable of meeting the development needs for a child trafficking response system. In particular it has a strong IT service management (ITSM) sector that specialises in the implementation and management of IT services. The industry also has strong business process outsourcing (BPO) capabilities. BPO is a subset of outsourcing that involves the contracting of the operations and responsibilities of specific business functions (or processes) to a third party service provider.

According to a recent survey by the Bangladesh Association of Software & Information Services (BASIS), there are over 800 registered software and ITES companies in Bangladesh, in addition to a range of unregistered small

software and IT ventures doing business for both the local and international markets.<sup>38</sup>

One of the most encouraging recent trends in the industry in Bangladesh is that a significant number of companies are now providing web-based services that include specialised portals like those required by the MCA programme. Off late some companies are also developing web applications based on the cloud/SaaS delivery model. These emerging new business and service delivery models must be given careful consideration by the MCA programme.

The development and delivery of the CBCT response system could therefore be contracted to a third party service provider in India or Bangladesh. Furthermore, a range of secure hosting options are available in each of the three countries.

In terms of local user capacity, the availability of secure communication lines is an important issue that needs to be addressed. Many parts of the pilot target districts do not even have Internet connectivity so this would have to be provided for key users as part of the pilot project implementation. In Nepal these users will include selected police and DCWB stations, while in Bangladesh there are also police stations and BGB camps

without connectivity. The MCA programme could facilitate the provision of secure lines if the authorities were committed to their use. There are Internet Service Providers (ISPs) in each country that can deliver connectivity solutions with any required level of security, uptime and bandwidth (options typically range from 1Mbps to 5Mbps). The options are to install and use a dedicated Internet link or to opt for Virtual Private Network (VPN) connectivity. A VPN is used to connect computers to a restricted-access computer network (like an Intranet). It can be implemented with varying levels of security so that data sent through the VPN connection stays isolated from other computers on the public network, either through the use of a dedicated connection from one 'end' of the VPN to the other, or by using encryption.

The capacity of the government to provide the required level of connectivity to the entire country is an issue that needs to be addressed in advance of any larger scale system roll-out. In Bangladesh, the cost of internet connectivity is still one of the highest in the region and is well below the affordability of the common citizen.

The government itself concedes that broadband access is still in its infancy because of a lack of last mile connectivity and the high cost of access.<sup>39</sup>

### 2.3.4 Interfacing to Other In-Country Systems

One of the key challenges identified in relation to the tracking of any missing children is the question of how to identify the child. The SAEVAC workplan notes that 36% of South Asia's children are unregistered at birth, so recording and tracking are problematic in many cases.

There are government initiatives in place or in the pipeline in each of the three target countries that should make the recording and tracking easier. In India the Unique Identification Authority of India (UIDAI)<sup>40</sup> is an agency of the Government of India responsible for implementing the Aadhar scheme, which is a unique identification project. The Aadhar number is a 12 digit number for each individual, including infants. It will contain demographic and biometric information to uniquely identify each individual. As a result each resident will be given a unique ID number.

<sup>38</sup> See 'Bangladesh Software and IT Service Industry, Recent Trends & Dynamics'. Available at [http://www.basis.org.bd/resource/About\\_Industry.pdf](http://www.basis.org.bd/resource/About_Industry.pdf).

<sup>39</sup> See 'Digital Bangladesh for Good governance'. Prepared for the Bangladesh Development Forum 2010 in Bangabandhu International Conference Centre, 15 -16 February, 2010. Presented by Md. Abdul Karim, Principal Secretary, Prime Minister's Office, The Government of the People's Republic of Bangladesh. Available at [http://www.lcgbangladesh.org/BDF-2010/BG\\_%20Paper/BDF2010\\_Session%20VI.pdf](http://www.lcgbangladesh.org/BDF-2010/BG_%20Paper/BDF2010_Session%20VI.pdf).

<sup>40</sup> See <http://uidai.gov.in/>.

The MCA programme should strive to integrate in-country missing child systems with the birth registration system. This will require liaising with government to explore and develop mechanisms for this to take place.

UIDAI aims to provide all Indians with their unique ID number, and will maintain a database of all residents. However commentators expect that it will be over five years before there is a completed database in place.

In addition, while births should be registered at the place of their occurrence in India, the Times of India reported<sup>41</sup> in March 2012 that about 25% of children born in India don't have any identity. According to the report, the Registrar General of India's data shows that the birth of 6.6 million children went unregistered in 2007.

In Bangladesh the National Identity Registration Authority Ordinance 2008 was approved by the Cabinet in March 2008. It has been described as creating a national registration database with at least 19 fields. ID cards will be mandatory and used for a variety of functions including driving, tax, licences, loans, and mobile, cable and satellite services.

The birth registration process is now available online in Bangladesh. In addition, community-based telecentres and information centres, as well as services provided by civil society organisations like D.Net facilitate the process of birth registration. A missing child system implemented in Bangladesh should ideally be integrated with the birth registration system.

In Nepal the government have also provided provisions for birth registration. However it is not mandatory. Parents fail to register their children, which is an obstacle to the enforcement of laws relating to the exploitation of children and prosecution of traffickers.

Plan has been promoting birth registration for over a decade, as they see it as a critical first step in ensuring the rights of a child. In the context of child trafficking it has been noted that the child's identity is a substantial factor in legal procedures. It becomes almost impossible to rescue and repatriate the trafficked victims without any valid legal identity. However although government's and some NGOs recent roles in raising awareness on birth registration are noticeable in Bangladesh, gaps remain in terms of children coverage and local level capacity.

In a broader context, governments' attitude to the use of technology to track missing or vulnerable children at national level is linked to their overall e-government policy. In Bangladesh the State pledged to achieve a 'Digital Bangladesh' by the golden jubilee of its independence in 2012. The strategy to achieve this has four components: human resource development, connecting citizens, digital government for pro-poor service delivery and ICT in Business. There are a range of current initiatives ongoing, and government ministries seem keen to add to the list particularly if they are funded. However their ability to deliver on further commitments in this regard is open to question.

### 2.3.5 Missing Child Alert Systems Around the World

Missing child alert systems have been set up by authorities around the world, in order to help families find their missing children. In the United States of America (USA) the National Centre for Missing & Exploited Children (NCMEC) is a private non-profit organisation that acts as a resource on issues of missing and sexually exploited children. They provide information and resources to law enforcement, parents and children, including child victims, as well as other professionals.

Police forces in states across the USA have implemented emergency alert systems for missing children. An example is the California Child Safety

AMBER Network, which operates as follows: after receiving a report of a child abduction, the responsible law enforcement agency conducts a preliminary investigation and determine if the specified criteria for an AMBER Alert activation have been met. All of the following conditions must apply:

- A confirmed abduction has occurred.
- The victim is 17 years of age or younger, or of proven mental or physical disability.
- The victim is reasonably believed by local law enforcement to be in imminent danger of serious bodily injury or death.
- There is information available that, if disseminated to the general public, could assist in the safe recovery of the victim.

Similar criteria are used by other police forces around the USA and Europe.

The NCMEC works in partnership with the mobile phone providers to provide mechanisms for the distribution of alerts by the police to wireless subscribers who opt in to receive the messages. Most of the alert systems also implement XML feeds to send information to companies operating digital signs along highways (mostly government controlled) or in other public places (typically privately owned). Companies like Critical Reach ([www.criticalreach.org](http://www.criticalreach.org)) who deploy and manage community alert systems

<sup>41</sup> See [http://articles.timesofindia.indiatimes.com/2012-03-02/india/31116505\\_1\\_registration-indian-states-death](http://articles.timesofindia.indiatimes.com/2012-03-02/india/31116505_1_registration-indian-states-death).

also provide software for missing child alert systems.

Feedback from police officers operating missing child alert systems indicates that there is typically a three hour window after the child is alerted during which the chances of finding them are highest. They often send pre-alert information to the media and other companies to ensure they are ready to broadcast when the go-ahead is given. This can result in more effective distribution of information by radio and television stations, roadside and railway signage, and other public information outlets. Emergency alert messages typically include the name, age, sex, physical description and clothing of the victim and suspect, vehicle description, possible direction of travel and location and time last seen. Photographs are seen as an effective tool in recovering missing children.

In the European Union (EU) there are child alert mechanisms in place in 11 countries: Belgium, the Czech Republic, France, Germany, Greece, Ireland, Italy, the Netherlands, Portugal, Romania, and the United Kingdom. These aim to alert the public in cases of child abduction and where the life of a child is at risk. They disseminate relevant information in the hours after the disappearance of a child using all possible electronic means (e-mails, SMS, electronic advertising displays, illuminated signs on highways and flash information on radio and television).

The intention of the missing child alert systems in EU countries differs from the CBCT response system required in South Asia, particularly in relation to the former's focus on abducted children and the expectation that the public can help find the child. Nonetheless the MCA programme should look to learn lessons from the EU countries' experience and from the mechanisms that have been put in place. The ICMEC are also an important partner in terms of leveraging global expertise in the area.

One lesson to be learned is that it is likely to take many years (possibly a decade) before a missing child alert system is fully adopted in countries like Nepal or Bangladesh. The Government of India is more likely to be able to deliver on a national missing child system in a short number of years, given the amount of work already done on the issue at various levels in the country.

The objective is that an early warning system for child abductions, with cross-border interoperability, be established in all 27 EU countries. In order to resolve cross-border cases countries have been invited to establish and develop national mechanisms to alert the public in the event of criminal abductions of children, and to define the national implementing arrangements ensuring that cross-border alerts are triggered.

These arrangements should be introduced on the basis of best practices developed by the European Commission.<sup>42</sup>

While evidence from the USA suggests that a missing child alert system can be put in place in a relatively short period of time provided there are police procedures in place already, and there is already widespread acceptance of the concept by the public, it has taken

between three and seven years to do so in many of the EU countries. The time required was linked in part to the number of police forces involved. However despite the widespread accessibility of technology and the high priority assigned to the recovery of missing/abducted children in these countries, the process of implementing a missing child alert system was a lengthy one in all cases.

## 2.4 Stakeholder Involvement and Governance



The information flows required for the implementation of an effective CBCT response or missing child systems in South Asia are severely lacking, even within each of the countries. In the case of India the situation was described by one expert in the field as “chaotic, archaic, and implemented on a case by case basis”. The current situation facing missing children in the country was further described as ‘sectoral’ and ‘fragmented’. While there are many authorities and organisations involved, each looks after their own function. There have been

a number of initiatives to try to coordinate these – one example being the Stop Trafficking website a <http://www.stoptrafficking.in>. This web portal is primarily a network of stakeholders, including government organisations, NGOs, academia, civil society, victims and the media, and its aim is to smoothen the service delivery to victims of human trafficking in India. Nonetheless the various sectors do not work together, and as a result the overall responses are not as effective as they should be.

<sup>42</sup> Available at [http://ec.europa.eu/justice/funding/rights/call\\_10014/ramc\\_ag\\_annex\\_5\\_2008\\_en.pdf](http://ec.europa.eu/justice/funding/rights/call_10014/ramc_ag_annex_5_2008_en.pdf).

### AMBER™ Alert

AMBER™ Alert is the name given to a program that issues alert bulletins in response to the suspected abduction of a child. The name is an acronym for “America’s Missing: Broadcasting Emergency Response”. It was originally named after Amber Hagerman, a 9-year-old child who was abducted and murdered in Texas in the United States of America in 1996.

AMBER™ Alerts are typically distributed via commercial radio stations, radio (Internet and satellite), and television stations using an Emergency Alert System. Alerts are also issued via SMS text messages, e-mail, electronic traffic (roadside) signs, and LED billboards located in public places.

The decision to declare an AMBER™ Alert is made by the police organisation that investigates a possible abduction. Public information in an AMBER™ Alert usually consists of the name and description of the abductee, a description of the suspected abductor, and a description and license plate number of the abductor’s vehicle if available.

Those interested in subscribing to receive AMBER™ Alerts in their area via SMS messages can avail of a Wireless alert service. This is offered by law as a free service in the U.S.

The AMBER™ Alert Program is coordinated nationally by the U.S. Department of Justice and supported by The National Center for Missing & Exploited Children (NCMEC). The Department of Justice describes it as follows:

*“The AMBER™ Alert Program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies, and the wireless industry, to activate an urgent bulletin in the most serious child-abduction cases. The goal of an AMBER™ Alert is to instantly galvanize the entire community to assist in the search for and the safe recovery of the child.”*

#### 2.4.1 National

In Nepal and Bangladesh the main barriers to implementation of effective systems and cooperation are lack of bureaucratic decision making structures and resources. In Nepal, the MWCSW have expressed their willingness to cooperate with, and even manage, a missing child system.

The NPA has been given a high priority by the Ministry, and children are viewed as a key element. However they also see the lack of authentic data as being problematic. The MWCSW’s own research which was conducted in six border areas has shown that the scale of the problem of cross-border child trafficking is significant. They recognise that there are more children

leaving than coming back, and that there is no knowledge of where the non-returning children are. However the true scale and scope of the problem is hard to define in the absence of credible data, and the Ministry realise that this makes it difficult to respond effectively. They see the MCA as having the potential to help address this problem. This is not a realistic expectation in the short or medium term but it is important to note that analysis of trends and patterns is of particular interest at government level, as it is linked to policy implementation.

The MWCSW also see the MCA as supporting the Child Helpline, which they are committed to making available throughout the whole of the country. Lack of resources, and in particular the lack of sufficient trained social workers to support the children, is currently hindering progress on this.

For a missing child system to be successful at district level in Nepal the Central Child Welfare Board (CCWB) and the District Child Welfare Boards must be involved. The DCWBs are in each of the 75 districts in Nepal, and they reflect the work of the CCWB at local level. They are chaired by the District Commissioner/Chief Executive, and the membership consists of government representatives, social workers, medical practitioners, teachers, and local representatives. They action plans that reflect local

need while following the policies and directives of government and in particular the MCWSW. Similarly for a CBCT response system to be effective these also need to be proactive and involved.

In Bangladesh the Ministry of Home Affairs and the Ministry of Social Welfare and the MWCA also welcome the MCA programme initiative. Already, these ministries are working in a cross government committee on the issue of child trafficking. There are also counter trafficking committees at district level (one in each of the 64 districts), sub-district level (a total of 480) and over 6,000 local committees. Indeed District Commissioners (DCs) are seen to have a vital role to play in implementing the National Plan of Action for Combating Human Trafficking in Bangladesh, as they are responsible for law enforcement in the districts. It was encouraging therefore to hear the Deputy DC outline a model for how a missing child tracking system could work. Because all unions have information service centres with Internet connectivity, he proposed that information on missing children could be disseminated or shared from them via the DC’s web portal (<http://www.dcjessore.gov.bd/>), thus providing access to all UISC’s, border guards, police stations, social welfare departments and NGOs who are members of the District anti-trafficking committee.



The Ministry of Home Affairs which is overseeing the National Plan of Action also recognises the need for a specialist database for information sharing on trafficking. This is now seen as a major target for the government, and as a result new protocols have been introduced on rescue, repatriation and rehabilitation. The Ministry is also working towards being an e-Ministry across all departments, and including the police and BGB. As a result the MCA programme is seen as having the potential to provide some of the answers they require.

NGOs such as WOREC Nepal who offer rescue, counselling, rehabilitation, re-integration and legal support to women and victims of trafficking also identified the aggregation of data across organisations as important. The dispersal of data across organisations causes duplication and gaps, and this is something which they see the MCA programme as having the potential to address.

Nonetheless the vitally important role of civil society and non-state actors involved in service delivery must be acknowledged. While this requires further analysis, it is known that NGOs deliver a very significant number of the available services in Nepal, for example. As a result these organisations play a critical role in any MCA initiative.

In India there is currently no effective government-run missing child – or for

that matter missing persons – system in operation at national level, although as noted already there are state-level and NGO-run systems in operation. It has not been possible to ascertain the level of interest or commitment there is at Government of India level for a single national missing child system, although official statements would suggest that there are plans in place to implement something like this.

At district level the role of child welfare committees (CWCs) are important in India. State governments are required to establish a CWC or two in every district under the provisions of the Juvenile Justice (Care and Protection of Children) Act. A child can be brought before the committee (or a member of the committee if necessary) by a police officer, any public servant, CHILDLINE personnel, any social worker or even an ordinary citizen, or by the child himself/herself. The CWC will then act to ensure the safety of the child – if they have been rescued from a brothel or are a victim of rape, for example, they can be placed in a home and offered support and counselling. Similarly if the child does not have a family that can support them, they may also be placed in a home. This is the case with many children who are trafficked from Nepal or Bangladesh.

The CWC reporting processes consists of over 100 individual pieces of information relating to the child. Examples include age, education, days

away from home, police involvement and where the child is from.

The participation of the police in each of the target countries is also vital to the success of the MCA. In India for example, all cases of missing children should be entered as FIRs. The distribution of information relating to a missing child should then go to all relevant police agencies within the country in real time. The mechanisms used to implement this are police internal mechanisms. However any MCA programme interventions must complement and support these.

The working relationships that exist between the police and NGOs must also be supported and strengthened. NGO partnerships are vital at a local level, in the rural communities from which children are trafficked, along the transit routes, and in the urban centres where they end up. Organisations such as the Child in Need Institute (CINI) are ideal partners in the processes of rescue and rehabilitation as they have a presence on the borders, engage in prevention and protection work, provide rehabilitation and support, and are involved in the SAARC processes. In relation to repatriation the judiciary are also key stakeholders. So too are the Juvenile Justice Boards (JJBs), as they have the authority to deal with matters concerning children that are in conflict with the law. JJBs are constituted for each district or group of districts, and consist of two social

workers and a Judicial Magistrate. They are an attempt to decriminalise the administration of juvenile justice through the presence of the social workers.

Because of the range of stakeholders involved, policy development and implementation, as well as management and decision making in relation to missing and rescued children at national level, are huge challenges. However they are challenges that must be taken on by government, with advice and support from organisations that can inform policy and strengthen delivery. It is in this capacity that the MCA can be most effective at national level. In effect it needs to enable coordinated national policy implementation in order to (a) strengthen child protection at national level, and (b) build capacity to address cross-border trafficking of children.

### 2.4.2 Regional

Regional initiatives to address cross-border child trafficking in South Asia have primarily been undertaken by SAARC and most recently by its apex body for children, SAEVAC. Others such as UNICEF have also played an important role. They are enthusiastic about the potential of the MCA programme at regional level, as was indicated by the Director General of the SAEVAC Regional Secretariat in Kathmandu:

The goal for the MCA programme should be to have in-country missing child systems managed by the government in each country, with regional coordination through the CBCT response system managed by SAIEVAC. The latter is not a realistic option for the foreseeable future but the MCA programme must build SAIEVAC's capacity to manage it. This is likely to take three to five years.

The MCA programme should, as one of its first activities, set up a web portal to bring together all initiatives linked to (cross-border) child trafficking in the region.

*“We are keen to be involved in any manner we can to support the MCA project as we are now quite well established as a regional entity for children in the SAARC region. As the SAARC apex body we can bring in strong political commitment. And we can play a critical role in terms of coordinating the whole process.”*

SAIEVAC support for the MCA programme can help to make child trafficking more prominent on the regional agenda. It can also work with governments to get it on their agenda

through its own mechanisms and the mechanisms of SAARC. SAIEVAC also works with civil society and the international agencies. As a result it has all the components necessary to make the CBCT response system sustainable as well as participatory.

Organisations like UNICEF who have a lot of experience in the area emphasise the importance of ensuring that the issue of child trafficking is looked at from a broad child protection perspective, rather than just a trafficking issue.<sup>43</sup> For this reason also it is important that SAIEVAC take responsibility for the governance of the CBCT response system at regional level. However since they do not currently have the capacity to manage and maintain a regional database or system of coordination on child trafficking, the MCA programme will need to perform these functions at least for the duration of the pilot project. They will also need to work with SAIEVAC during this time to help build the necessary capacity for it to assume responsibility.

Based on discussions with SAIEVAC a handover plan must be put in place for the regional CBCT response system.

The MCA programme should begin a planned process of engagement with SAIEVAC that will lead to practical outcomes based around the

programme's result areas. As a first step towards this and the coordination of cross-border child trafficking activities in the region, the programme should establish a web portal on child trafficking in South Asia. This web portal should represent the public face of the CBCT response system, thereby helping to establish it with international, regional and national stakeholders. It will provide information relating to child trafficking (and in particular cross-border child trafficking), national initiatives aimed at addressing the phenomenon, and regional developments. The information presented should reflect the breadth of effort being

undertaken by stakeholders including regional and international agencies.

The primary objective of this web portal is to meet the information needs of user group 5 in Table 1. These are the organisations and individuals who seek access to information on child trafficking in the region.

The web portal should be developed using a popular content management system (CMS) such as Drupal, and hosted by a reputable service provider. Indicative costs for the setup are in the order of \$10,000. An MCA programme member should be given responsibility for content management, with appropriate management oversight.

## 2.5 Long-Term Vision

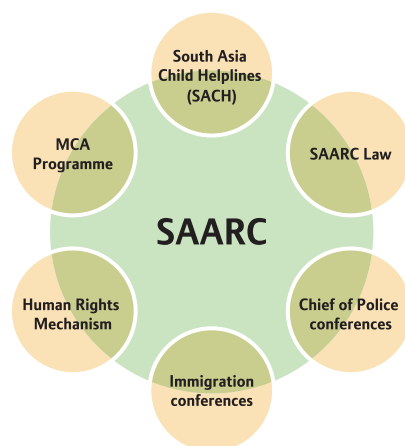


Sustainability and participation are both vital for the success of any MCA programme intervention. As the head of one organisation involved in the delivery of child protection services in Nepal put it, there is a need for staff and other resources but government will not commit money, people or resources to the area. It therefore requires external funding sources and a long-term strategy. She, like many

others, emphasised that SAARC and SAIEVAC are vital to its development.

It is important that the child protection mechanisms in the region address all categories of missing children, as well as children who are vulnerable to abuse and exploitation in other ways. While the MCA programme is seeking to address one particular category, there is potential to do so in a

<sup>43</sup> This was highlighted by UNICEF's Regional Adviser for Child Protection in an interview on 3<sup>rd</sup> October 2012.

**Figure 8:** Regional coordinating mechanisms operating at SAARC level

coordinated and convergent way through a close working relationship with SAIEVAC. There are a range of regional mechanisms, as shown in Figure 8, through which agencies in the different SAARC countries are linked together. SAIEVAC can play an important role in coordinating the efforts of these mechanisms.

Most of the mechanisms in Figure 8 are already in operation and are addressing cross-border issues to varying degrees. With the exception of the South Asia Child Helplines and the SAARC Human Rights mechanism which is currently in the making, others are very well institutionalised as regional mechanisms. SAIEVAC is in the process of creating convergence among these institutions by working with the SAARC Secretariat as well as the organisations themselves. The MCA programme must find its way

into the dialogue of these of these organisations if it is going to make a difference.

The issue of trafficking in women and children has been selected as one of the core priorities of the SAARC Human Rights Mechanism. This mechanism brings together all the human rights organisations in the SAARC region, including all the National Human Rights Commissions. These are a potentially important and strong body to align with.

The South Asia Child Helplines (SACH) is a new initiative linked to the SAARC Toll Free Helpline project. This project was proposed by SAIEVAC and CHI and in 2012 it was approved by the SAARC Development Fund (SDF). The 1098 number has already been harmonised in four countries: India, Nepal, Bangladesh and Bhutan, and the vision

behind the Toll Free Helpline project is that all eight SAARC countries will adopt it as the uniform child helpline toll-free number. This is intended to facilitate better intervention in addressing issues on violence against children, and in particular the issue of cross-border trafficking within South Asia.<sup>44</sup>

The Uniform Toll-Free project is a political/governmental initiative with CHI involvement. SACH was proposed in May 2012 by different child helplines pre-empting the operationalisation of the project. These are currently not coordinated properly and as a result they are not able to undertake effective lobbying to bring SAARC member states together.

The Toll Free Helpline project shows that it is critical for the MCA programme to bring the political entities into the larger planning and decision making process in order to bring about policy changes and kick-start regional initiatives. The programme must therefore find appropriate strategies to mobilise the involvement and support of SAARC and related institutions. SAIEVAC is a logical partner to help bring this about.

Finally the Uniform Toll Free Helpline proposes to create a regional hub for sharing information on child survivors. This scope and technicalities of this are not clearly defined, but there would seem to be scope for the MCA to provide significant support to the initiative.

<sup>44</sup> See Chile Helpline International. (2012). Child Helplines and Telecoms: Child Helpline International. Retrieved from <http://www.childhelplineinternational.org/assets/cms/File/Toll%20free%20advocacy%20toolkit%20v7%20FINAL.pdf>.

# Technical Architecture

# 3



Plan / Shona Hamilton



The key requirement for systems dealing with in-country or cross-border child trafficking is to be able to match 'missing' child data gathered at source with 'found but untraced' child data at destination. This is true at national level and across borders. From a technical point of view the potential exists in the region to develop systems to do this. Biometric data such as iris

readings, finger prints, etc. can be used and automatic matching of photographs can be implemented. In addition systems can be integrated with birth registration and unique ID systems implemented at State level in order to ascertain child identity.

There are three different approaches that can be taken.

### Option 1: Decentralised Model

Build a network of in-country missing child systems that would exchange information about missing or found children. The MCA programme would support the development and deployment of these systems by the national governments, and would work with stakeholders to develop protocols for the exchange of information.

### Option 2: Centralised Model

Design and implement a centralised cross-border child trafficking response system in which authorities in each country can record incidents of suspected cross-border child trafficking. This system would send notifications to recipients in the country(s) the child is likely to have been brought to. It would also coordinate cross-border activities such as search, rescue and repatriation of the child. Additional alerting within the country in which the child went missing would be handled by in-country missing child systems.

### Option 3: Collaboration with Homelink/YaR

Implement a missing child search system across the region by extending and modifying the existing Homelink system.

## 3.1 Option 1: Decentralised Model

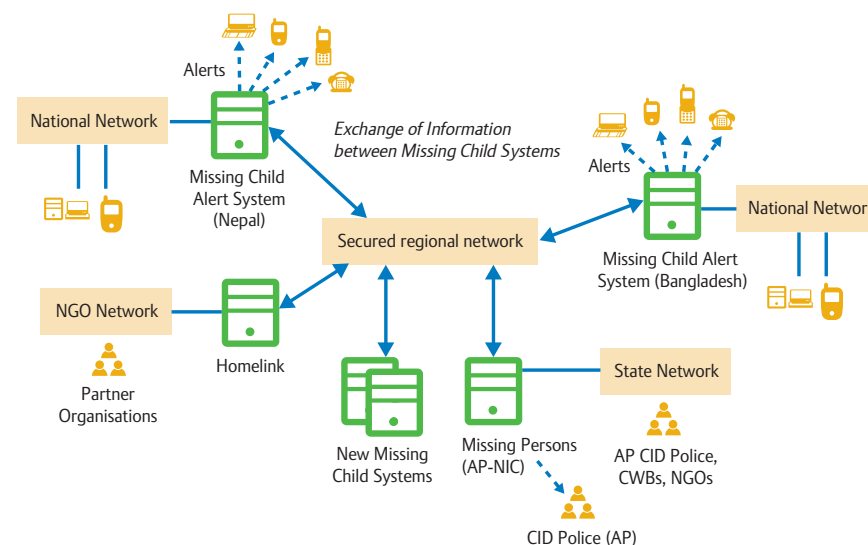


Option 1 requires the development of national missing child systems for Nepal and Bangladesh, and the drafting and implementation of protocols to exchange information in agreed format between these and the missing child (or persons) systems in India. The protocols could be modelled on the best practices developed by the European Commission, and should be drafted and agreed at SAARC level,

with support from the MCA programme and ICMEC.

This is a decentralised model in which all the actions that take place after a child is reported as missing (see Figure 9) are performed by in-country systems that communicate and exchange information. The MCA programme would facilitate the implementation of missing child

Figure 9: MCA decentralised model architecture



systems in Nepal and Bangladesh, while in the case of India it would need to work with existing missing child/persons systems (Homelink, AP-NIC system, etc.) to have them implement information exchange protocols. Efforts should also be undertaken to expedite the development of a national missing child system by the Government of India.

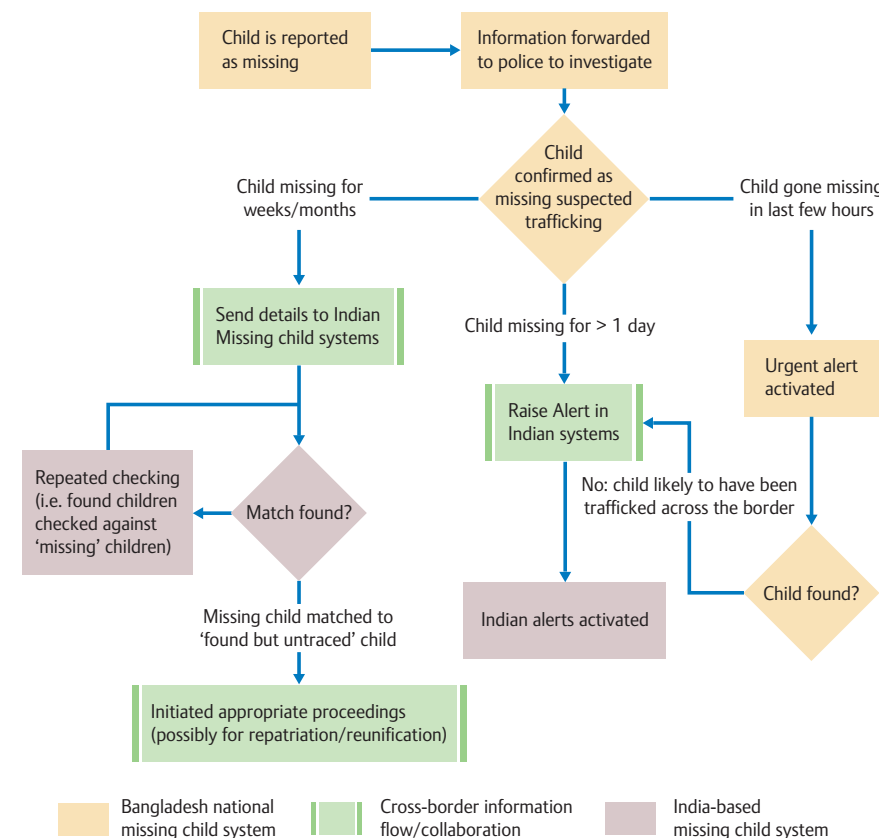
Figure 10 outlines a typical high level scenario for when a child is reported as missing. It shows that with this model the responsibility for alerting would be with the in-country system. For example, if the missing child system in West Bengal receives information from Bangladesh relating to a specific child, then that system must alert its police and others. Found but untraced children are recorded in the missing child system in the country in which they are found.

Ideally the systems at national level should be under the control of a government authority. This government authority would need to assign appropriate urgency to the information received about a child trafficked from another country, and would ensure that alert notifications are sent to all authorities or agencies within its own network. If these networks are limited or the receiving authority is not adequately sensitised to the issue of cross-border trafficking from the source country, then the scope of the alerting will be limited or non-existent.

There are a number of advantages to taking this approach:

1. By working with the Ministry of Home Affairs in Bangladesh and the MWCSW in Nepal, in-country missing child systems can be implemented that will strengthen the national child protection systems.
2. The development of extensible and technologically robust systems for tracking and matching missing/found children from scratch provides a good opportunity for governments that have a commitment to effective solutions to prevent child trafficking. Standard data models can be adopted and utilised, and reusable application software can be designed and built. This can then be customised for Bangladesh and Nepal.
3. If missing child systems in Bangladesh and India are adopted by the police and other authorities they provide an opportunity for rapid alerting within the borders of the country.
4. By developing a good technological solution for tracking and matching missing/found children, the MCA programme has an opportunity to advocate for its adoption by the Government of India who currently do not have such a system (see Option 3 for further observations on this).

Figure 10: Option 1 High-Level Scenario: Child is reported missing



However there are also a number of risks or disadvantages. The main ones are:

1. Given the political, administrative, social and technological situation in Bangladesh and Nepal, it is likely to take many years (perhaps in the order of a decade) to have the governments implement effective national missing child systems.
2. The rapid alerting of the authorities and NGOs across a border requires collaboration between national missing child systems. These can be bilateral or agreed on a regional level. The latter is the preferred option, implemented at SAARC level through combined lobbying by the MCA programme and SAIEVAC. However this seems like an unlikely goal in the short term.

In either case, the operation of the entire coordinated system requires the drafting and implementation of a range of SOPs to handle the information flows and collaboration between governments.

3. The ongoing checks for children who have been reported as missing in one country against the rescued ('found but untraced') children in another country could present difficulties as there is no single system with all the details of both. There are a number of ways in which this might be handled (for example, repeated requests from one system to another to check, or periodic data transfers), but these are not ideal (for example an immediate match between a found child in the destination country and missing child in the source country might not be possible).
4. Furthermore since the authorities across India do not have a national system for tracking missing children, nor do they have common alerting or response procedures that can be mobilised when a child is trafficked, there is no single interface point for the systems/ authorities in Bangladesh or Nepal to communicate with. This is a problem with any of the options selected at present.
5. As responsibilities are all pushed down to the national level, the approach lacks the centralised

oversight and coordination that is needed to operationalise and sustain the initiative.

To develop the national missing child systems, the MCA programme should identify a technology solutions partner that can provide all business process outsourcing requirements associated with the development and deployment of the in-country systems. However the government should have significant say in this and in the technical architecture of the system given its role as managing authority.

The systems should support a range of interface modules for missing child reporting and for alerting. In the initial pilot phase the interfaces should be IP-based, including web updates, email and news feeds, but in time these are likely to be extended to include other alerting mechanisms. The systems should if possible be integrated with birth registration systems, and capability should be included for the use of biometric data for recording and matching.

From an application point of view the missing child system would be strongly workflow-based and would require a robust, secure, deployment model in which a range of components work together in an integrated way. A software architecture consisting of an n-tier integrated application server and development framework should be used (this can be J2EE based or Microsoft platform based).

Table 2 shows indicative costs (in US\$) for the development and deployment of one national system – i.e. a national system for Nepal or Bangladesh for the proposed high level architecture

presented in Appendix 4. These figures were provided by an India-based company with strong BPO capabilities.<sup>45</sup>

**Table 2: Indicative costs (in US\$) for implementation and operation of single national missing child system**

Component	Initial Expenditure	Year 1	Year 2	Year 3
Hardware*	94,000	18,800	18,800	18,800
System software**	45,000	9,900	9,900	9,900
Implementation cost***	150,000	45,000	37,000	30,000
Contingency	29,250	8,235	7,035	5,985
<b>TCO (3 years)</b>	<b>224,250</b>	<b>63,135</b>	<b>53,935</b>	<b>45,885</b>
Capital Expenditure (CAPEX)	224,250			
Operational Expenditure (OPEX)	162,955			
<b>TOTAL</b>	<b>387,205</b>			

**Notes:**

- \* Hardware estimate covers servers for separate database servers, webservers application servers for deployed system, and for a development/QA system. The actual configuration can only be arrived at during the requirements phase of the project. Purchase cost of hardware is included in the estimate.
- \*\* System software costs are based on the use of a JEE application server, RDBMS enterprise license including development and QA, and projected costs for other system software. 30 user licenses are supported as this is expected to be sufficient for a pilot implementation. Use of an open source platform such as NetBeans/Symfony would reduce this cost.
- \*\*\* Implementation costs cover systems implementation and ongoing enhancement and maintenance (business as usual) costs.

<sup>45</sup> Full details of this company and other potential technology partners are available as separate documents.

## 3.2 Option 2: Centralised Model

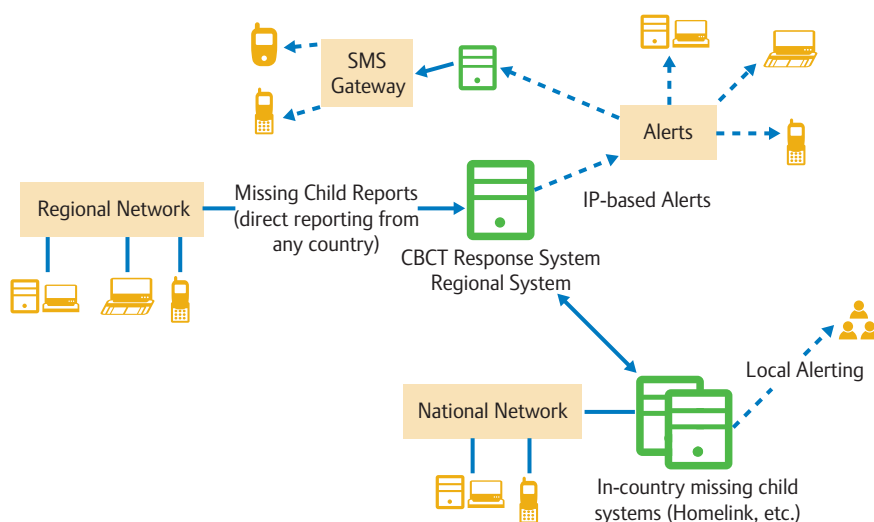


Option 2 is a centralised CBCT response system dedicated to addressing the needs of children who have been trafficked across a border. For this, a regional database, with effective national alerting mechanisms, needs to be put in place. Members of the public, community centres etc. can report missing children; these are initially investigated by the police in the source country, who can then activate in-country and cross-border

alert requests through the centralised regional system, on the basis of their analysis of a missing child report.

This model focuses specifically on cross-border trafficking of children. The MCA programme would implement and operationalise a regional system to address the issue in a coordinated manner. This regional CBCT response system would manage each child's case from initial logging

Figure 11: MCA centralised model architecture Option 2 – Architecture



through to repatriation of a rescued child. This system should be implemented in consultation with SAIEVAC, who can ensure that SAARC become a powerful institutional lead for the initiative. At the end of the pilot phase Plan should aim to hand over operation of the system to them (SAIEVAC).

It is envisaged that this regional system would work as follows:

1. A secure, centralised server records missing (trafficked) children). Found children could also be recorded in this system. Alternatively found children could be recorded in in-country systems which would be checked on an as-needed basis by the CBCT response system.
2. Web browser interfaces for the initial reporting, alert activation and management (by the police or other authorised agency), and the provision of updates relating to the initial search and to the status of the missing child. Even though a missing child may be reported via the web interface it must be reviewed (by the police) before it is confirmed and accepted as a valid record of a missing child.
3. Child records remain open on the system until such time as the child has been successfully repatriated (by which time the child may be over 18).

4. A database of alert recipients is maintained by a system coordinator, and for each missing child alert a schedule of alerts may be created by an authorised agent (for example certain police officers who have the authority to issue an alert). In the first phase at least, alerting is IP-based, and may consist of:

- (a) email notifications.
- (b) RSS news feeds.
- (c) XML-based data feeds to partner systems. These may include broadcast media outlets, national/local missing persons systems, and networks such as the police and railway police in India.

IP-based alerting can be done by the centralised regional system hosted in any part of the world. However if alerting is done using voice or SMS messaging then it should be initiated in-country for cost reasons. This would necessitate either (a) the mirroring of the cross-border alerting database in each of the three countries, with notifications sent from the locally mirrored sites; or (b) local alerting done by local agents or nodes in each of the countries. These local alerting nodes could receive the alert information by email, etc. and respond by sending an SMS broadcast using their own gateway software or by making phone calls.



5. Links will be provided to national child tracking systems in Nepal and Bangladesh (if/when these exist), as well as to other partner systems such as Homelink and the AP-NIC missing persons system) so that:

- (a) data can be automatically transferred from these to the regional system if a missing child has already been recorded.
- (b) national/local partner databases can be searched for a reported missing child. Missing child searches could be implemented from/to in-country systems (such as Homelink, for example).

The MCA programme needs to actively encourage potential partners to receive and act on the alerts, starting with the proposed pilot project districts.

It is important to recognise that the regional system is not replacing the case management systems used by the police, child welfare service providers, helplines, shelter homes or any of the other stakeholders, nor is it replacing the national missing child/persons systems. It is a separate system which focuses on cross-border child trafficking, and in particular on the coordination of rescue and repatriation.

A typical scenario for when a child is reported missing is presented in Figure 12.

The advantages of the centralised option are:

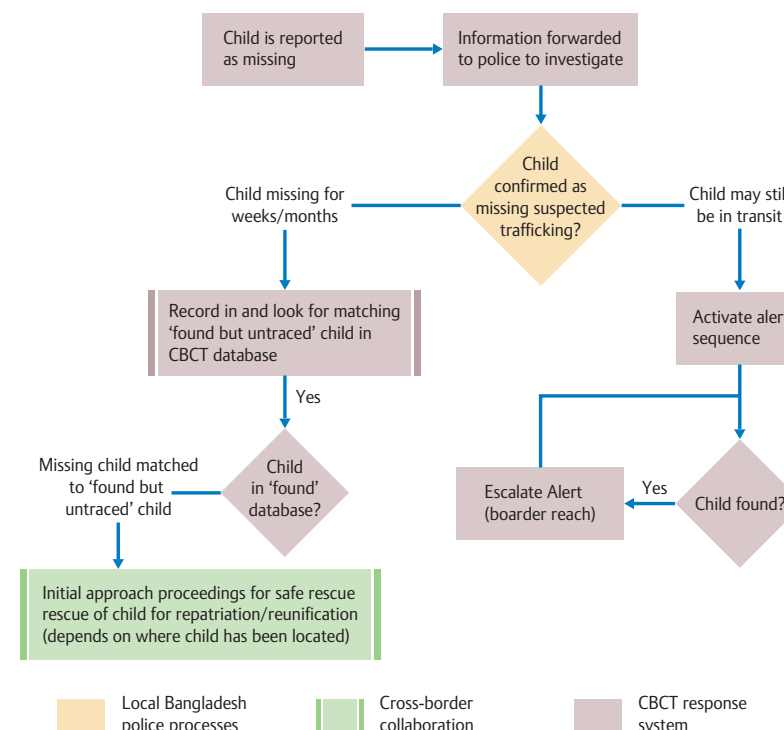
1. It is not dependent on the implementation of national missing child systems. The intervention still needs the support and cooperation of the authorities to succeed, but the technological system can be deployed independently of them. This is likely to result in faster implementation as well as better coordination of activities across the three countries.
2. Since the alert notifications are controlled centrally, the response to a missing child report can be coordinated and have a broad reach. It is possible, for example, to configure a notifications database to send alerts according to a pre-determined schedule (for example immediately to BGB in Bangladesh, to railway police and others along known transit routes in India after a period of number of hours, and later to trusted organisations operating in the likely destination cities.
3. As with Option 1, this may require the drafting and implementation of SOPs to handle the information flows and collaboration between governments. However the information exchange is more likely to succeed if it is being coordinated at regional level.

4. The system will, over time, provide accurate data in relation to cross-border trafficking of children.

The main risks/disadvantages are:

1. Without in-country missing child systems or some mechanisms for effective, coordinated responses by the authorities in Nepal and Bangladesh, and without a national system in India, this model is limited in its capacity to distribute alerts amongst the police, border guards, railway police, etc.
2. The management and operation of the CBCT response system requires significant resources which the MCA programme would have to provide.
3. There is a risk that the system is seen as a private initiative, which may inhibit the engagement by governments and participation by the State authorities.

Figure 12: Option 2 High-Level Scenario: Child is reported missing



4. SAIEVAC's capacity to take over and extend the system at the end of the pilot phase is not at all certain, and would require immediate and ongoing engagement by the MCA programme.

The costs associated with the implementation of the regional CBCT

response system are primarily dependent on the technological components used to build it, and where/how it is hosted. Taking the same approach as was taken for the national missing child tracking systems, it is expected that the TCO is in the order of \$400,000 over the three years of the pilot phase.

### 3.3 Option 3: Collaboration with Homelink/YaR



A third option is to implement a regional or country level system for the collection of missing child information based on the missing child search software used in the existing Homelink system. The software could be customised and extended to provide additional alerting functionality, with user rights provided to the authorities and NGOs across the three countries.

Consultation with the Don Bosco YaR Forum indicates that they would be willing to consider the possibility of developing a regional level hub for missing children. The functionality could, in principle at least, incorporate the functionality described in Option 2. However this would have to be determined through mutual agreement

between the MCA programme and the YaR Forum.

As an organisation the Don Bosco YaR Forum is committed to coordinating those involved in the youth ministry for Young at Risk in South Asia. It is also committed to networking with like-minded organisations on behalf of YaR, and to influencing policies related to YaR at the state, national and international levels. It has an extensive network in India but its success as a cross-border child trafficking response system would depend on greater participation by government and state authorities.

The time frame and cost for putting in place an effective CBCT response

system based on Homelink technology would depend on several factors, including the type of system being implemented, the willingness of other stakeholders (especially at government and departmental level) to engage. Negotiations would need to take place with Don Bosco/YaR Forum on the basis of the system requirements.

Developing national missing child systems for Nepal and Bangladesh based on the Homelink/YaR software is another possibility that can be considered. Connecting these systems and sharing data would need to be studied, but since the software is being developed by the same party there are technical options available. One option that has been proposed is to export data periodically from one system, for example as CSV files (one of the more common format used across data sharing), and to import to the other system(s) in order to look for matches between missing and found but untraced children.

The main advantages of this option are:

1. Since Homelink has already missing child search functionality the implementation of a CBCT response system or an in-country missing child system would be faster and less costly than the other options.
2. Homelink is the only national missing child system in operation in

India, albeit one which is not widely used by the authorities.

The main drawbacks are:

1. An extended/customised Homelink system would be constrained by the existing design, and by the model adopted by the organisation that has already invested in its development and operation (Don Bosco/YaR Forum). In particular it would not provide scope to implement a standard data model for missing children.
2. Whereas automatic matching of missing and found children (based on biometric data for example) could be built into Options 1 or 2 from the start, the current dependency on manual matching in the Homelink software is something that would need to be addressed, particularly given the large volumes of unverified reports that the system could potentially contain. Again the opportunity to get the software 'right first time' is missing.
3. The fact that the Homelink system has not been adopted by the Government of India, despite the discussions that have taken place with Don Bosco means it is not well positioned as a solution to be adopted by governments in the region.

Preliminary investigations suggest that it is likely that when a national data gathering and matching system for missing children finally becomes a reality in India, it will be managed by the MHA and not the MWCD. There is a strong advocacy currently underway

to sell the HomeLink model to the latter. However the solution offered by Don Bosco/YaR Forum is preliminary and will not meet the requirement of a technically superior solution that is required.

# Roadmap and Conclusions

# 4



## Roadmap



The ideal solution is a combination of technologically robust, national missing child systems as outlined in Option 1 and implemented by governments, and a regional database managed by SAIEVAC and linked to the national systems (Option 2). The long-term goal for the MCA programme should be to achieve this goal. However it is unrealistic to expect it to become a reality in the next three to five years. Nonetheless the pilot project can make significant progress towards this goal provided it can show that the MCA programme offers technologically robust solutions that can help to track, rescue and repatriate children that are trafficked from one country to another. These solutions need to be acceptable politically and operationally, as well as usable by all user groups.

The recommended next steps are as follows

1. Explore each of the technical options presented in greater depth, by engaging with the governments and in particular key people in the relevant ministries, SAIEVAC, and Don Bosco/YaR Forum. Option 2 is likely to present the highest chance

of success but stakeholder acceptance is crucial.

2. Put in place the necessary resources at regional level (MCA programme) and CO level (Plan) to advocate for the political, administrative and legal changes necessary to address the phenomenon of cross-border trafficking, and to enable the necessary capacity building activities to take place.
3. Begin work as soon as possible on the proposed web portal. The launch of this can provide a focal point for the programme in its engagement with stakeholders.
4. Based on the outcomes of (1), select one of the options for pilot implementation. A business process partner that can develop the software/application and has the expertise to guide its deployment and operation should be identified early on. Since the MCA programme does not have expertise in this area it should look for a partner company that has.

A number of potential partners have already been identified as part of the feasibility study. Others can be identified through the IT industry networks in Bangladesh (BASIS) and India (NASSCOM). The process will require the drafting of an initial set of requirements for the system.

5. An agile approach should be taken to the development of technological solutions. This is an incremental or iterative approach that facilitates adaptive planning, as well as evolutionary development and delivery. Given the uncertainty involved and the evolving landscape linked to ongoing advocacy, this is advised in order to minimise the risk associated with the technological development.

This approach will enable the deployment of a basic functional system as early as possible. The timing will be dependent primarily on political and operational acceptance of the concept, but from a technology point of view it should be possible to have a basic system in place within one year of the start of development.

6. As part of the advocacy being undertaken at national level in each of the countries, a plan needs to be put in place to achieve the political and operational acceptance, and to build the capacity of local actors to use the technological system. This plan will be based on the Plan country proposals, but needs to dovetail with other ongoing efforts to sensitise the authorities.
7. The MCA programme should also engage as soon as possible with civil society and local government partners who will help to promote awareness leading to increased reporting of missing children at community level.

This roadmap will enable the MCA programme to meet its objectives to develop, implement and test the technology-based system and to bring as wide a range of actors as possible together in order to ensure it becomes a fully realisable regional system. The focus of the pilot project should be on testing the effectiveness of the intervention and its capacity to succeed on a broader scale, rather than the number of children reached.



## Conclusions



Technological systems to address the issue of cross-border trafficking must be viewed as only part of the solution. For them to be effective the necessary legal and institutional arrangements must be put in place, and the political and administrative will must exist to make them work. Systemic factors such as migration (legal and illegal), human smuggling, poor border vigilance, corruption at the border, domestic legal and judicial arrangements, the normalisation of certain types of economic crimes in the communities living alongside the national border all impact on cross-border child trafficking. No technical solution can be expected to address the practice in the absence of reforms on all of these fronts. The ultimate goals are prevention of child trafficking, minimisation of 'found but untraced' children, efficient repatriation and reunification, as well as minimum stress to the children and their primary carers.

To be effective, the MCA programme should develop a carefully drafted strategy to get the best out of the SAIEVAC initiative. It should proceed with a technological solution, but be

prepared to hand it over to SAIEVAC at an appropriate stage.

It appears unlikely that SAIEVAC will on its own evolve a data gathering and data matching solution to address the problem of missing and found but untraced children. At most it will strengthen current government efforts. However it is also important for the MCA programme to strengthen the national systems in Nepal and Bangladesh, first through advocacy aimed at ensuring the government's commitment to combating child trafficking, followed by the facilitation of technology-based solutions.

SAIEVAC and SAARC together have a relatively better locus standi to circumvent the obvious reluctance on the part of Bangladesh for any effective ban on illegal migration of Bangladeshi children to India or their repatriation to Bangladesh. Addressing this will be an important element towards achieving the MCA programme's objectives.

As it stands, any MCA programme initiative may be viewed as a private initiative only. Whether technical or

otherwise, any system the programme attempts to put in place will only work effectively if it has the participation of all three States. However it will not be easy for the MCA programme to directly influence the central government of India, Bangladesh or Nepal. The last two could be made even more difficult if the lead organisation in any system of cooperation is an Indian organisation. For this reason the political leadership of the MCA programme's primary partners, and their acceptance in the relevant project areas, will be vital to its success.

There is also huge potential for peer support between the three States at governmental level. India, Bangladesh and Nepal are at different stages of development when it comes to their national child protection systems, with India further advanced in many respects. Since the MCA is expected to complement and strengthen the

national child protection systems, it is important to understand their strengths and weaknesses. Further research is necessary for the MCA programme to fully address this area.

From a grassroots point of view the challenges faced by the MCA programme will become easier if there are networks of local anti-trafficking and child rights organisations at the forefront of the initiative. And from a child protection point of view it is important that children themselves are involved. They should not remain locked at the heart of child protection systems like the MCA. Instead efforts should be made to involve them in their own protection, through direct engagement in schools and communities, and through consultation with children's groups. This will require additional risk assessment as it involves highly perilous activities and potential exposures to unwanted attention of traffickers and others.

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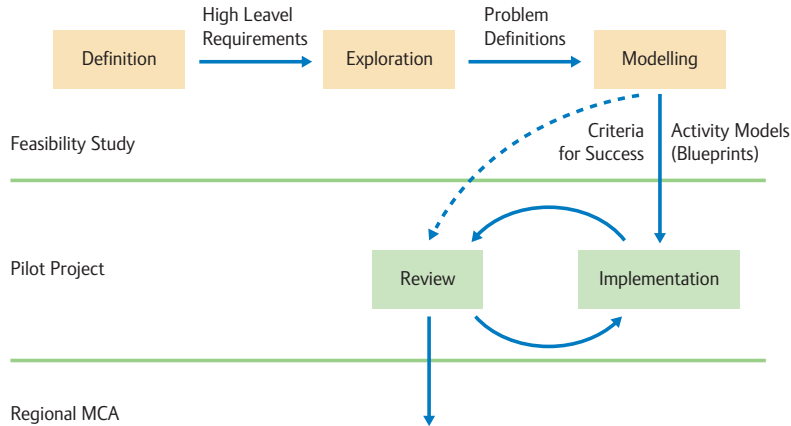
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DEMIR™ Framework

The DEMIR™ framework has been developed and used as a management and evaluation framework for information systems projects in the non-profit sector. These projects are typically characterised by the wide range of stakeholder perspective, lack of clarity around initial requirements, and a need to recognise and address a vast range of socio-political factors.

The framework consists of five steps, namely Definition, Exploration, Modelling, Implementation and Review. The latter two are typically repeated in ongoing cycles of action and learning (review).

The application of the DEMIR(tm) framework to the cross-border child trafficking system(s) project is as shown below.



List of Interviews

The following is a list of organisations and individuals interviewed during the data collection stage of the feasibility study. All interviews took place in August and November 2012.

Technology and Technology-Based Service Providers		
Bangladesh	Bangladesh Association of Software and Information Services (BASIS)	ABM Reazuddin Mosharaf, Director Hashim Ahmed, Senior Program Manager
	ISACA, Dhaka Chapter	Ali Ashfaq, President A.K.M. Nazrul Haider, Vice President Omar F. Khandaher, Board member
	Vizrt	Md Momenul Islam Milton, Managing Director
	Aamra Networks	Sharful Alam, Chief Operating Officer
	Bangladesh Institute of ICT in Development (BIID)	Md Shahid Uddin Akbar, Chief Executive Officer
Nepal	Subisu (Kathmandu and Nepalgunj)	Sudhir Parajuli, Chief Executive Officer Deepak Shrestha, Chief Technical Officer Nabin Adhikari, Deputy Manager – Marketing Rajat Kavastha, Sr. Manager – Marketing Nepalgunj local representative
	Worldlink (Nepalgunj)	Local representative
	NCELL	Manish Joshi, Device Specialist – Product Management

**Technology and Technology-Based Service Providers** (continued)

<b>India</b>	Genpact	Shweta K Honavar, Assistant Vice President Follow-up with Nitin Nagpal, Vice President, and technical team
	PIT Solutions	Thomaskutty Sebastian, Director – Business Development (Skype)
	Alliance and Microsoft (India)	Vinad Tadeipalli, Director Technology, Alliance Saradhi, A S V CH, Program Manager, Microsoft India
	Deloitte Touche Tohmatsu India	Sungharsh Sood, Manager, Clients & Markets
	Vasudhaiku	Raj Vallabhaneni and Saraswathi Rajasekhar
	NeerInteractives	Jai Sankar Aluru, Director

**Civil Society (Non-Governmental Organisations, Community-Based Organisations, Social Enterprises, Academics)**

<b>Bangladesh</b>	D.Net	Ananya Raihan, Executive Director Shamarukh Alam, Chief of Operations Nadia Shams, Senior Assistant Director
	Bangladesh National Women's Lawyer's Association (BNWLA)	Salma Ali, Executive Director
	Community Resource Centre (ICT Centre), Noapara Union, Jessore	
	Dhaka Ashania Mission (DAM)	(1) Shafiqul Alam (Dhaka) (2) Jessore District team
	Women's Action Group, Benapole	

**Civil Society (Non-Governmental Organisations, Community-Based Organisations, Social Enterprises, Academics)** (continued)

<b>Nepal</b>	CWIN-Nepal	(1) Madhav Pradhane, President (2) Sumnina Tuladhar, Executive Coordinator (3) Madhu Dawadi, Regional Team Leader, Nepalgunj (4) Staff team, Biratanagar
	SAATHI Regional Office, Nepalgunj	Bindita Shah, Program Coordinator
	WOREC Nepal (Biratnagar)	
<b>India</b>	CHILDLINE India Foundation	(1) Kajol Menon, Executive Director and Nishit Kumar, Head Communications and Strategic Initiatives (2) Carlyle Periera, Head, West Regional Resource Centre
	Don Bosco	Fr. Joe Prabu, National Director
	Prerana Anti-Trafficking Center (ATC)	Pravin Patkar Priti Patkar
	Pratham	Farida Lambay
	Society for Assistance to Children in Difficult Situation (SATHI)	Pramod Kulkarni, Secretary
	Society for Community Intervention and Research (Kolkata)	Anindita Ray
	Child In Need Institute (CINI)	Sunit Mukherjee, Chairman, and Rajib Haldar, Additional Director
	SANLAAP	Indrani Sinha, Executive Director
	SANJOG	Roop Sen, Secretary and Technical Advisor
	Vidyasagar School of Social Work, West Bengal	Professor J. Mazumdar, Deputy Director



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**Government Ministries and Authorities**


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<b>Bangladesh</b>	Ministry of Home Affairs	Dr Kamal Uddin Ahmed, Additional Secretary (Political) and Roxana Hasim, Deputy Secretary
	Ministry of Social Welfare	Dr Ranjit Kumar Biswas, ndc, Secretary
	Ministry of Women and Children Affairs	Tahmina Begum ndc, Joint Secretary and Dr M. Aminul Islam, Deputy Secretary
	Deputy Commissioner's Office, Jessore	Md. Mustafizur Rahman, Deputy Commissioner and District Magistrate
	Union Information and Service Centre, Noapara Union, Jessore	
	Police, SharshaUpazila	Investigation Officer
<b>Nepal</b>	Ministry of Women, Children and Social Welfare	Dr Kiran Rupakhetee, Under Secretary
	Central Child Welfare Board	Dharma Raj Shrestha, Executive Director
	District Child Welfare Board, Biratnagar	
	National Centre for Children at Risk	
	District Police, Nepalgunj	Officer in charge at border checkpoint
	District Police, Biratnagar	Officer in charge at border checkpoint
	Women and Children Service Centre, Biratnagar	
	District Committee for Combating Human Trafficking (DCCHT), Biratnagar	

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**Government Ministries and Authorities (continued)**


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<b>India</b>	Andhra Pradesh State Police, Crime Investigation Division	(1) N. Ajay Kumar, Deputy Superintendent of Police, WPC Hyderabad (2) J. Ajay Kumar, Deputy Inspector General (3) S. Umapathi, Inspector General (4) Mr. Ramamurthi, Officer in Charge for Missing Person Link System (5) S.V. Ramana Murthy, Additional Director General of Police
	Women Development and Child Welfare Department, Andhra Pradesh	P. David Raj, State Manager of Child Protection Planning and Monitoring Unit

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**Regional/International Agencies and Organisations**


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UNICEF	Ron Pouwels, Regional Adviser Child Protection, UNICEF Regional Office for South Asia
SAIEVAC	Dr. Rinchen Chopel, Director General, Regional Secretariat
International Centre for Missing and Exploited Children	Caroline Humer, Program Director
National Center for Missing and Exploited Children (NCMEC), USA	Robert Hoever, Director, Special Programs, Missing Children Division
Garda Missing Persons Bureau, Ireland	Police Sergeant Michael Kennedy
California Highway Patrol's Emergency Notification Tactical Alert Center (ENTAC)	Chief LD Maples Officer Janet Lockhart

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# Appendix 3

## Results of Delhi (Kickoff) Workshop Consultation

The Delhi kickoff workshop (11 – 13 July 2012) identified a series of questions under a number of challenge areas. These were used as the basis for the interviews conducted during the exploration stage of the study.

While it was not possible for the feasibility study to answer all of these questions comprehensively, every effort was made to address as many of them as possible.

### Information Management and Protection

- 1 What existing child protection policies, programmes and projects should the MCA system be linked to, and how?
- 2 What are the strengths and weaknesses of the different networks working on anti-trafficking in the region, particularly in Bangladesh, India and Nepal, and what lessons can be learned from these?
- 3 How will individuals and organisations already working on anti-trafficking in Bangladesh, India and Nepal be able to use the proposed MCA system?
- 4 How are missing children identified and represented in the system? The model should incorporate issues such as birth registration (where it exists), the use of oral and visual content, why a child is missing, rescue and repatriation, special cases (for example transgender children), children who have aged-out, etc.
- 5 What kind of information should be disseminated as an alert? Should the recipients of alerts/information be controlled, and if so, how?
- 6 How is data confidentiality ensured? How is access to data/information controlled?
- 7 What additional measures are necessary to ensure that the system does not put children at further risk?
- 8 How is the application of a uniform policy and practice on child protection ensured in a multi-lateral project that has involvement of a range of stakeholders?
- 9 How can expertise and information relating to efforts to rescue, rehabilitate and repatriate trafficked children be built into the system?

### Information Management and Protection (continued)

- 10 Does the system have a role in identifying and/or addressing vulnerability to trafficking?
- 11 What is the MCA system's role in relation to prosecution of traffickers? What are the implications in terms of monitoring and recording (for example should traffickers be recorded)? What are the implications in terms of child protection?
- 12 What is the MCA system's role in relation to advocacy, and what are the implications in terms of child protection?
- 13 What is the MCA system's role in repatriation and rehabilitation, and how is this best implemented?
- 14 How can the system be designed to meet the particular needs of children who are trafficked or at risk of being trafficked?
- 15 What is the role of social media in the system?
- 16 What is the relationship between the MCA system and the media, keeping in mind the overarching principles of child protection as well as issues of liability?

### The Legal Landscape

- 1 How does the legal framework and mechanisms relating to child trafficking in each of the three countries impact on the MCA system?
- 2 What actions need to be taken to meet data protection obligations in each of the three countries?
- 3 Are there legal restrictions in India / Bangladesh / Nepal regarding information about children that are reported as missing?
- 4 What are the legal implications of cross-border operation of the system (governance, security, data sharing, etc)?
- 5 How can the MCA system support advocacy aimed at more effective implementation of national policies in relation to protection, repatriation and rehabilitation?
- 6 How can the MCA system help to identify changes that need to be brought about at policy or implementation level in order to ensure more effective cross-border action on child trafficking?

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**Management of Multi-lateral Stakeholder Involvement and MCA Governance**


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- 1 What existing systems and mechanisms (including networks) for tracking, rescue, rehabilitation, repatriation and prevention, including government systems, does the MCA system need to support and/or collaborate with? What are the opportunities, risks and constraints associated with the collaborations?
  - 2 Who are the stakeholders and partners in the MCA system, and what is their relationship with the system? What opportunities do they present that can be leveraged by the MCA system?
  - 3 What should the role of SAIEVAC be in relation to the system?
  - 4 How is the buy-in of key stakeholders, particularly government, achieved and maintained? Will there be resistance to the system deployment or use, or to the organisation(s) associated with the system?
  - 5 What are the implications for Plan of the need to take politically sensitive stands during the deployment, management and operation of the MCA?
  - 6 What are the governance structures, roles and responsibilities that need to be in place in order for the MCA system to function effectively within the three countries and as a cross-border system?
  - 7 What aspects of the political environment and context at local, national and inter-governmental levels impact on the design, implementation, operation and management of the MCA system? What measures are needed in order to accommodate these?
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**Technical Development**


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- 1 What technical systems (including databases, helplines, etc.) exist nationally, regionally and internationally that could be used as a basis for the MCA system? In particular what systems are already being operated by government authorities and/or NGOs in India, Bangladesh and Nepal? What are the pros and cons of these systems, and what is the potential for integrating or extending some or all of them?
  - 2 What are the technical expertises and solutions in Plan that can be leveraged (including ICT4D)?
  - 3 Is a centralised or decentralised model adopted for the system (keeping in mind the cross-border nature of the system, and the multiplicity of stakeholders involved)?
  - 4 How will existing systems be integrated into the MCA system? If a centralised model is not adopted, what are the needs in relation to data replication and synchronisation and how are these handled?
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**Technical Development (continued)**


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- 5 What are the technical options that should be considered for the development of the MCA system? This covers (but is not limited to) infrastructure; monitoring and recording; information and knowledge management; reporting; security and control.
  - 6 What are the recommended vendors for the technical components of the system? In particular what local companies, organisations and consultants can be used in order to reduce risk associated with the deployment, maintenance and expansion of the system?
  - 7 How is the issue of system reliability addressed?
  - 8 How is the security of the system, and the data it contains, ensured? How is sensitive information stored and protected?
  - 9 How are access issues, including limited bandwidth, literacy, lack of familiarity with technology and so on, addressed?
  - 10 How is support for multiple languages, including local languages and scripts, handled?
  - 11 Can and should biometric data be used in the system?
  - 12 What types of user interfaces are required by the different user groups, and how should these be implemented? In particular how is system usage supported at community level?
  - 13 What is realistically achievable within the timeframe of the three year pilot project in India, Bangladesh and Nepal (identify the functional scope)? Outline the technical roadmap(s) for the development of the recommended solution(s).
  - 14 What are the high-level development and operational costs associated with the recommended solution(s)?
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**Long-term Vision for the MCA**


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- 1 What coordination or oversight function is required in the long term, what are its responsibilities, and what resources are required?
  - 2 What measures are necessary in order to ensure the ongoing sustainability and usability of the MCA? This must be considered from political, economic and technical points of view.
  - 3 How can the system be extended, ultimately to become a regional (SAARC) MCA system?
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In relation to capacity building the meeting also identified skills transformation and capacity enhancement is the MCA system expected to achieve and the mechanisms needed in order to achieve the expected skills transformation and capacity enhancement as important.

# Appendix 4

## High Level Requirements Specification for National Missing Child Tracking System

This is the initial high level requirements specification presented to potential technological partners. The specification is expected to be revised if it is decided to proceed with the development of a national missing child system.

A number of missing child tracking systems currently exist in India, but the intention is to develop a new solution that can be customised for use in Bangladesh and Nepal. This solution will consist of a national missing child tracking system (NMCTS) in each country. These will receive information about missing and found children through a variety of channels and will immediately alert a range of individuals and organisations, including the appropriate government authorities. They will also be linked to the existing systems in India in order to send information on specific children to the police and other authorities there, and to alert non-governmental organisations (NGOs) operating at transit points or destination locations for trafficked children.

As part of this study we wish to identify and recommend technology partners in the region that can (a) develop and support the application software, and (b) provide the necessary infrastructure to bring the concept to fruition.

### System Overview

The national missing child tracking system (NMCTS) will contain the following functionality:

- a web-based portal which members of the public can use to report missing or found children, and which registered organisations can use to report and track missing or rescued children.
- a secure database, in which the integrity and confidentiality of the data will be protected.
- strict access control, with role-based authentication.
- use of facial recognition software and biometric data to help track and identify children.
- mobile phone apps to add, update or retrieve data.
- support for additional value added services such as voice recognition (API) for data entry.

- alert notifications to the appropriate authorities and/or NGOs for a missing child. These can be configured by a local or regional coordinator, but the system must also incorporate logic to automatically alert certain authorities – for example, based on the GPS coordinates of a report from a wireless device.
- real-time display of reported missing children on maps, using GPS data.
- a variety of interfaces (gateways) to exchange information with other third party missing person tracking/management systems over secure lines (most likely using web services). These will, where possible, be based on published XML schema.
- support for national and regional/local languages on all interfaces (web, wireless devices, alerting) as well as a solution for how to do translations for alerting to local authorities in other countries
- management reporting functions and analytics, designed to support planning, advocacy, etc.

The system will also need to be customised to meet the particular requirements of the stakeholders in each country.

The following infrastructure requirements have been identified:

- 24/7 availability of all parts of the NMCTS application, with synchronous mirroring. A comprehensive disaster recovery plan should also be in place.
- system security should adhere to industry best practices, with audit trails of all system activity maintained on an ongoing basis. This includes issues such as firewalls, disk encryption, intrusion detection, protection against DDoS and other potential attacks, etc.
- secure connectivity to other missing person tracking/management systems, initially in India and Nepal but across all the SAARC countries in the longer term (after three years). This secure connectivity will require IPsec VPN lines or IPLCs between systems. The initial requirement is to connect systems in Nepal, Bangladesh and India (up to four) in this way. Data should be encrypted over links.

It is envisaged that for the NMCTS to be effective it should ultimately be managed by an appropriate government authority. Plan International will work to make this a reality in Bangladesh and Nepal. It is therefore desirable that the technology partners have the experience and capacity to work with the appropriate government authorities.